



Appeal Decision

Site visit made on 28 October 2025

by **N Bowden BA(Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th November 2025

Appeal Ref: APP/R3650/W/25/3368631

Land at 76A Wey Hill, Haslemere, Surrey GU27 1HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Ellis against the decision of Waverley Borough Council.
 - The application Ref is WA/2025/00118.
 - The development proposed is the demolition of existing refrigerated cold stores and replacement with two semi detached dwellings with associated parking and amenity.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - 1) the effect of the proposed development on highway safety,
 - 2) the effect of the proposed development on trees, and
 - 3) whether the proposed development can demonstrate a 10% Biodiversity Net Gain (BNG).

Reasons

Highway safety

3. The proposal comprises one pair of semi-detached homes which would be reached via an existing access onto Wey Hill. This access is single track for much of its length and is constrained by existing buildings to either side on, and around, the access point onto Wey Hill. This access appears to serve a number of existing homes in the form of houses to the rear and flats above shops. It further provides a service yard for business premises addressing Wey Hill. From the site visit I estimate this to be in the order of three to five separate residences and/or businesses, but this is not definitive.
4. The access with Wey Hill itself appeared to offer reasonable sight lines for vehicles at its access but this was not shown or demonstrated in the application material. Moreover, in order to achieve these sight lines it may be a requirement for vehicles to overhang the footway. Further, the access discharges onto a small section of double-yellow lines, near a controlled pedestrian crossing and opposite the junction with St Christophers Road. It is not apparent whether the proposal would allow vehicles to turn within the site and this further means that there is a possibility that vehicles may reverse into, or out of, the site.

5. This access appears to be the only means for pedestrians and cyclists to access the site and it is not clear whether this would cause conflicts between different types of users. In addition, the narrow width of the access makes it difficult to determine whether emergency vehicles would be able to reach the site. Overall, insufficient information is before me in order to make a reasonable assessment as to what the effect of the proposed development would be.
6. Whilst I recognise that there are other examples of some relatively tight accesses leading to homes and businesses off Wey Hill, it is not clear how these arose and the mechanics of their operation. My attention has particularly been drawn to land at the rear of (approximately) 100-102 Wey Hill but I note that this access serves a much larger area of land with additional circulation space.
7. In conclusion, I find that there is insufficient information or clarity in the way in which the site would be accessed. Given the constraints of the site and narrow and constrained access I am unable to find that there would not be an unacceptable impact on highway safety. As such, the proposal conflicts with policies ST1 and TD1 of the Waverly Local Plan Part 1 (2018) (WLP1), policies DM1, DM7 and DM9 of the Waverly Local Plan Part 2 (2023) (WLP2) and policy H7 of the Haslemere Neighbourhood Plan (2021) (HNP) insofar as it would not provide safe and convenient access for all highway users.

Effect on trees

8. The appeal site is largely built upon or laid to hardstanding. However, there is a significant tree belt along the rear boundary of the site and the proposed dwellings would be set in close proximity to many of these. Whilst I accept that these do not appear to fall within the appeal site itself, it is likely that the proposed dwellings would be located within the root protection area of a number of specimens.
9. The proposal has not been submitted with a tree survey which would allow me to make an informed assessment of this. As such, I am unable to conclude that the proposal would not have an adverse effect on these trees. The proposed development therefore fails to comply with policy DM11 of the WLP2 in that it fails to protect trees and hedgerows during all phases of development.

BNG

10. BNG is a mandatory requirement of Schedule 7A of the Town and Country Planning Act 1990 (TCPA) (as inserted by Schedule 14 of the Environment Act 2021). The proposal does not contain the minimum information required by Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 for the purposes of the statutory BNG condition.
11. The proposal was not submitted with a BNG metric nor sufficient information on ecological interests on the site. Whilst I accept that the site is largely laid to hardstanding, there is no BNG metric provided in order to establish this as a base line position. Whilst the proposal may be subject to the de minimis exemption, with impacts less than 25 square metres, I have insufficient information before me to form this conclusion with certainty. Equally, I accept that the proposal, as described in the appellant's statement, would likely result in an overall improvement but the lack of an appropriate mechanism to establish the baseline position means that I cannot attach weight to these matters.

12. Therefore, the proposal fails to demonstrate it would achieve at least a 10% increase in biodiversity value relative to the pre-development onsite habitat, or that it would not be required to. The lack of clarity on this matter also means that the proposal conflicts with policies NE1 and CC2 of the WLP1, policy DM1 of the WLP2 and policy H12 of the HNP.

Other Matters

13. Whilst it has not been highlighted by the appellant, the Council accepts that it is unable to demonstrate a five year supply of deliverable housing land. This means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
14. In this regard, I do attach weight to the proposal offering a pair of two bedroom homes for which there is a distinct and unmet need in Haslemere and that there is support for the proposal from a Town Councillor. I am also mindful of neutral considerations including that there would be no adverse flood risk effects or deleterious effects on the living conditions of neighbours. These neutral considerations however, weigh neither for, nor against, the proposal.
15. Nevertheless, I have found that the proposal would not be acceptable on highway safety grounds, its effects on trees and due to a lack of information on BNG. These provide a strong reason for refusing the development proposed and therefore the provisions of paragraph 11 d) ii. of the Framework are engaged.

Conclusion

16. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

N Bowden

INSPECTOR