



---

## Appeal Decision

Site visit made on 5 November 2025

**by Elizabeth Lawrence BTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 21 November 2025**

---

**Appeal Ref: APP/R3650/D/25/3373899**

**21 Ball and Wicket Lane, Farnham, GU9 0PD**

- 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 Gary Murphy against the decision of Waverley Borough Council.
  - The application Ref is WA/2025/00787.
  - The development proposed is described as new replacement fence.
- 

### Decision

1. The appeal dismissed.

### Main Issues

2. The first main issue is the effect of the proposal on highway safety. The second main issue is the effect of the proposal on the character and appearance of the area.

### Reasons

3. Ball and Wicket Lane is a narrow road with no pavements and is flanked by a diverse range of dwellings with varied building lines and plot sizes. This, together with the abundance of front and side boundary hedges, trees, verges and other soft planting contributes to the informal and semi-rural character of the northern and central parts of the lane. Conversely, the southern end of the lane is less verdant due to tall walls/fencing along the boundaries of a couple of properties, along with a few dwellings with predominantly hard surfaced modest sized front gardens.
4. The appeal site is located in a prominent position at the northern end of the lane, adjacent to the junction of Ball and Wicket Lane and Alma Lane. From this junction views along Ball and Wicket Lane are dominated by hedges, trees and other soft planting, along with low flint walls. Whilst there is a tall fence along the front boundary of 17 Ball and Wicket Lane (No.17), it is materially lower than the proposed fence; set behind a small planted verge; largely covered with ivy; and is dominated by hedges and shrubs growing immediately above and behind it.
5. Conversely, the southern sections of the proposed fence, which has already been constructed, sits on a low blockwork wall which is to be faced with Knapped flint. This wall gets progressively taller as the ground levels fall away from the junction. The vertical boarded fence steps down in line with the wall and rises to well in excess of two metres above the road level. The northern part of the proposed fence, which similarly has been constructed, sits at ground level and includes three

two tall horizontally clad panels. Around the junction area and along the frontage with Alma Lane is a lower horizontal clad fence.

#### *Highway safety*

6. Policy DM9 of the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies (LP2), states that development should provide safe and convenient access for all highway users. It should not adversely increase the risk of accidents or endanger the safety of road users. Its design and layout should comply with highway standards and guidance including visibility splays. Together paragraphs 115 and 116 of the National Planning Policy Framework 2024 (the Framework) state that proposals should provide safe and suitable access for all users and that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety.
7. It was evident from my appeal site visit that due to the narrow width of the lane vehicles tend to travel along the centre of the lane and close to the highway boundary on both sides of the road. As a result of its combined position, height and proximity to the crossovers that serve the appeal property and 18, 19 & 19A Ball and Wicket Lane, the proposed fence severely obstructs their visibility towards Alma Lane. The proposed fence similarly severely obstructs forward visibility of the crossovers from the northern end of Ball and Wicket Lane.
8. I accept that there was previously an inner boundary fence adjacent to the side boundary of the appeal site. However, it was set in from the boundary and did not project as far as the crossover that serves the appeal property. The Google map photograph submitted by a local resident does show that the former boundary hedge did compromise visibility, particularly when the hedging was in leaf. However, there would have been filtered views over a short distance through the hedging of vehicles, cycles and pedestrians either approaching or waiting to exit the driveways referred to in paragraph 7 above. As a result, whilst it clearly did materially compromise visibility, it was not as harmful as the proposed fence.
9. For these reasons, even when taking into account the previous boundary hedge, the proposed fence has an unacceptable impact on highway safety.
10. I conclude on the first main issue that the proposed fence has an unacceptable impact on highway safety. Accordingly, the proposal conflicts with LP2 Policy DM9 and section 9 of the Framework.

#### *Character and appearance*

11. Together Policy TD1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2028 (LP1) and LP2 Policy DM4 require new development to be responsive and sympathetic to the prevailing pattern of development. New boundary treatments should respond positively to the local context around and within the site and developments should be designed to create safe and attractive environments. Consistent with this policy FNP1 of the Farnham Neighbourhood Plan 2013-2032 (NP) supports new boundary treatment that is designed to a high quality and responds to the distinctive character of the area.
12. Due to its combined position immediately adjacent to the highway, height and solid character and appearance the proposed fence has a formal and

urbanising impact on the street scene. It fails to respect and is out of keeping with the low walls, hedges and abundance of soft landscaping along this stretch of Ball and Wicket Lane. Due to the combined width and height of the fence the trees to the rear of it currently and would in the future do little to soften its tall stark appearance. Although there is a fence to the front of No.17 for the reasons stated on paragraph 4 of this decision, it is not comparable to the proposed fence. For these reasons the proposed fence unacceptably detracts from and undermines the informal and semi-rural character and appearance of this part of Ball and Wicket Lane.

13. I conclude on the second main issue that the proposal unacceptably harms the character and appearance of the area. It therefore conflicts with LP1 Policy TD1, LP2 Policy DM4 and NP Policy FNP1.

#### **Other matters**

14. Overall, I find that the highway and environment harm caused by the proposal materially outweighs the security and privacy benefits for the appellant and their family from having the proposed boundary fence along the side boundary of their property. Further, this harm is not something that could be satisfactorily addressed through the imposition of conditions.
15. Concern has been expressed that the proposed fence and associated wall have been placed on highway land. The highway authority has raised no such concerns and the ownership of the site is not, in itself, a planning matter. Concern has also been raised regarding the positioning of a security camera at the entrance to the appeal property. I confirm that this camera is not included in the planning application and so falls outside the scope of this appeal.
16. Finally, I confirm that as required by planning law I have determined this application in accordance with the development plan, having taken into consideration all other factors, including the representations submitted both supporting and objecting to the proposal.

#### **Conclusion**

17. Having regard to the conclusion on both main issues the appeal is dismissed.

*Elizabeth Lawrence*

INSPECTOR