
Appeal Decision

Site visit made on 21 January 2026

by **Stewart Glassar BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Appeal Ref: APP/R3650/W/25/3376037

1 Railway Cottages, The Common, Cranleigh, Surrey GU6 8SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Ms A Thorpe against the decision of Waverley Borough Council.
 - The application Ref is WA/2025/00548.
 - The development proposed is the rection of a single storey detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The planning application was submitted in outline with the matters of access and layout to also be determined at this stage. I have dealt with the appeal on this basis, treating any other details shown on the plans as illustrative.

Main Issues

3. The main issues are the effect of the proposed development on (a) highway safety; (b) protected species; (c) watercourse and associated habitats; and (d) biodiversity net gain.

Reasons

Highway Safety

4. It was evident from my site visit that the current access arrangements onto the site have a level of potential vehicular/pedestrian conflict that most other sites do not possess. Whilst vehicle speeds and vehicular numbers are both likely to be low, it seems to me that an additional dwelling here would merely serve to increase the potential risk of conflict and so this weighs heavily against the proposal.
5. As a result of such concerns, raised by various parties including the Highway Authority (HA), the appellant now proposes that the development be car free. The appellant's appeal submission includes recent advice from the HA indicating that they would be supportive of this approach. The HA accept the site is in a location sufficiently close to Cranleigh town centre for other forms of sustainable transport to be relied upon. Nonetheless, the Council remains concerned as to the practicality of securing a mechanism and ensuring the development remained car free.
6. Car free developments are generally only considered to be effective when they are both close to services and facilities and within a Controlled Parking Zone (CPZ).

Being able to restrict access to a parking permit discourages car ownership/use as parking becomes time limited or expensive and thus impractical. This approach also usually requires the completion of a legal agreement. Car free developments can often have site specific arrangements for delivery vehicles. The appeal site is not within a CPZ and contains no arrangements for delivery vehicles.

7. It may be that the layout could be restricted to physically prevent vehicles parking at the site itself, albeit I have no details before me and layout is to be considered at this stage. However, even with a planning condition to that effect, it does not ensure that the proposed development would be truly car free.
8. A restriction on the site layout would not actually prevent occupiers owning or using a car and parking elsewhere. In such a situation, it is not clear to what extent a layout could prevent owners from still choosing to cross the bridleway in a car, to unload shopping for example, and then return back across the bridleway to park the car elsewhere without restriction or cost.
9. The nearest parking appeared to be further back along the Common which in turn may have other consequences for highway safety. Indeed, although my site visit was late morning during the week, parking did appear to be at something of a premium along the Common. I recognise that my observations only represent a snapshot and that it was raining heavily at the time which may have influenced car usage. Nonetheless, having regard to the representations from local residents as to the demand for parking and narrowness of the road, there is nothing to suggest that what I saw was untypical.
10. Similarly, such on-site arrangements would not prevent delivery or trades vehicles seeking to access the site. In such situations it is not clear whether the lack of parking for the new house would be obvious or deter drivers from crossing the bridleway, especially as the existing vehicular access and parking to Nos 1 and 2 Railway Cottages would remain. I also cannot rule out the possibility of some vehicles having to cross the bridleway to deliver heavy or bulky items to the new dwelling regardless of the lack of on-site parking. The alternative may be that vehicles do not cross the bridleway but then would be faced with either having to undertake a complicated manoeuvre to turn around or more likely reverse back and turn around in front of Brackenwood.
11. I am not aware if the practicalities or safety implications of these situations have been fully explored. The HA indicate there not to be any unresolvable issues from their perspective. However, this is stated in pre-application advice and so not binding on them. It is also not an unequivocal statement that there would not need to be restrictions, requirements or other limitation on the development which have not yet been fully identified or considered. Furthermore, the author of the advice notes that they would be happy to review any further information that may become available ahead of a formal submission, underlining the informality of the advice.
12. Whilst I cannot rule out the possibility of these various issues being overcome, I do not have sufficient substantive details before me at this stage to be entirely confident that the suggested mitigation would not lead to other highway safety issues or reduce any additional risk to users of the bridleway to an acceptable level. Thus, my finding is that there remains an unacceptable impact on highway safety from the proposed development.

13. In the circumstances, I find that the proposal does not comply with Policy DM9 of the Waverley Local Plan Part 2 (LPP2) which, amongst other things, requires that developments provide safe and convenient access for all highway users in a way which does not compromise pedestrian and cycle movements or adversely increase the risk of accidents.

Protected Species

14. The appeal is accompanied by additional information regarding the impact of the proposed development on protected species. The submitted details identify a lack of suitable habitat for otters and the common dormouse. Surveys did not reveal reptiles within the site although regardless of this, scrub habitat is to be retained and ecological enhancements provided. This could all be secured through planning conditions.
15. The additional work was undertaken by a qualified ecologist, and I have no reason to doubt the veracity of the findings. It does not materially evolve or change the scheme but instead seeks to provide the information that was deemed missing from the initial submission. The Council has not consulted its ecological advisor on the appeal submissions nor advanced any substantive grounds to question the presented findings. Nonetheless, the additional information appears to me to have addressed the concerns raised during the consideration of the planning application.
16. Based on the information before me and the absence of any substantive evidence to the contrary, I find that the proposal would not adversely impact upon protected species. Thus, it would accord with Policy NE1 of the Waverley Local Plan Part 1 (LPP1) which seeks to conserve and enhance biodiversity within Waverley, including the recovery of species populations.

Watercourse and Associated Habitats

17. The footprint of the proposed dwelling would not be within 5m of the watercourse which runs through the eastern part of the site. In order to ensure a suitable buffer is retained, the additional ecological information suggests that a restriction is placed on any development within a 5m buffer. Furthermore, the provision of neutral grassland and a mixed scrub area is said to ensure the main garden area would now be some 12m from the watercourse.
18. Whilst I recognise that the Council still has some reservations about these revised arrangements, it acknowledges that with appropriate controls in place to secure the semi-natural habitat, the additional measures would address their concerns.
19. In view of the above, I find that the proposal would comply with Policy NE2 of the LPP1 which, amongst other things, seeks to protect and enhance water quality and habitat including through the use of buffer zones.

Biodiversity Net Gain (BNG)

20. A revised metric has been submitted which excludes the post development garden area from the calculation. It notes that the statutory BNG can be achieved as a result of the retained scrub habitat within the proposed buffer zone. Details for how the area would be managed have also been supplied. The process would be subject to monitoring reports reviewed by the Council to ensure compliance.

21. As a result, the requisite BNG would be achieved in relation to the development, and it would accord with Policy NE1 of the LLP1 which seeks to conserve and enhance biodiversity within Waverley.

Planning Balance

22. The main parties acknowledge that there is not a demonstrable five-year supply of deliverable housing sites. Both parties indicated the supply to be 1.28 years.
23. In such circumstances, paragraph 11 d) ii of the National Planning Policy Framework (the Framework) states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
24. In terms of benefits, the proposal would meet the Framework's objective of boosting the supply of housing and would deliver a new dwelling close to public transport links and to Cranleigh town centre. Some economic benefits would be accrued during the period of construction and once the dwelling is occupied. It would also meet the BNG requirements and offer some ecological enhancements. Collectively, and given the housing supply position, these benefits attract considerable weight in favour of the appeal scheme.
25. Other aspects, such as the scheme's effect on the living conditions of adjoining neighbours and upon the character and appearance of the area were not contentious matters in the appeal. In effect, they represent an absence of harm and so are neutral factors that neither weigh for or against the development.
26. Conversely, the Framework states that development should be prevented if there would be an unacceptable impact on highway safety, which I have found to be the case. Whilst I acknowledge that one additional dwelling would have a limited impact on traffic flows, my decision must be guided by considering the safety effects of the scheme on highway users. In my assessment, this must attract significant weight against the proposal.
27. Thus, the adverse impact of the proposal significantly and demonstrably outweighs the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

28. For the reasons given above, the proposal would be contrary to the development plan as a whole. In this case there are no material considerations which indicate that I should take a decision other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

Stewart Glassar

INSPECTOR