



Appeal Decision

Site visit made on 13 April 2026

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 April 2026

Appeal Ref: APP/R3650/W/26/3377577

Land west of Gardeners Hill Road, Farnham, Surrey GU10 3HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Ms. Caroline Martin, Ms. Philippa Melhuish & Mr. Michael Codd against the decision of Waverley Borough Council.
 - The application Ref is PIP/2025/01362.
 - The development proposed is application for permission in principle for residential development of a minimum of 2 and a maximum of 5 no. dwellings (Use Class C3).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
4. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum number of dwellings as part of the application. In this instance, permission has been sought for a minimum of two dwellings and a maximum of five. A plan has been submitted showing how five dwellings could be accommodated on the site, but I have considered this to be solely for illustrative purposes.
5. The trees within the appeal site are protected by a Tree Preservation Order (TPO). Whilst I note that the TPO is subject to an objection, it is beyond the remit of the appeal before me to consider the appropriateness or otherwise of the imposition of the TPO.
6. The Council's reason for refusal refers to Policy RE2 of the Waverley Borough Local Plan Part 1 (2018) (LPP1) which relates to development within the Green Belt. The Council has confirmed that this was a typographical error and that it

intended to reference Policy RE1 of the LPP1. The Council has also confirmed that reference to Policy FNP1 of the Farnham Neighbourhood Plan (2020) (FNP) should have been Policy FNP10 of the FNP.

Main Issue

7. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

8. The appeal site forms an area of close canopy woodland to the west of Gardener's Hill Road. Whilst the main parties agree that the appeal site is not remote in planning terms, it falls outside the defined settlement area of Farnham. Consequently, development in the area surrounding the appeal site is sparse, generally formed of pockets of built form surrounded by areas of woodland.
9. The areas of wooded landscape to the south of Farnham, to which the appeal site forms part of, are significant, forming high levels of tree canopy coverage. These extensive areas of woodland form a strong visual characteristic of the surrounding area, as well as a valuable break between built form.
10. It is not necessary for an application for permission in principle to be supported by evidence such as a tree survey. In the absence of such a document, I cannot be certain of the precise quality of the individual tree specimens within the site. Nevertheless, the woodland appears relatively unmanaged, with invasive species such as bracken indicating a lack of recent intervention.
11. Despite this, the site occupies a prominent position alongside Gardener's Hill Road. Regardless of the age of the woodland or the quality of individual trees, the group as a whole makes a strong, positive contribution to the area's rural and sylvan character.
12. The appeal proposal seeks permission in principle for a minimum of two, and a maximum of five dwellings. The exact implications of the proposal, namely in respect of tree removal, are at this stage unknown. However, given the extent of tree cover within the site, it is inconceivable that even the minimum quantum of dwellings could be developed without the removal of vast areas of woodland.
13. Even if trees were to be retained along the site boundaries, and the technical details consent stage presented additional areas of landscaping or biodiversity net gain, in developing the appeal site for residential purposes, the high visual value of its wooded landscape would be, at least in part, eroded. The development of the appeal site would introduce another isolated pocket of development, undermining the existing balance between built form and wooded landscapes in the immediate area.
14. I have limited details as to the extent of tree removal which would be expected through future management of the woodland. I therefore cannot be satisfied that it would be directly comparable to the level of tree removal necessitated through the residential development of the site (as above, also at this stage unknown). However, the level of tree removal warranted through sound forestry practices would still be materially different to the appeal proposal which would also introduce associated built form.

15. The proposed use of the land for residential purposes, even in the lower context of the amount of development proposed, would have a demonstrably harmful effect on the positive contribution to which the appeal site makes towards the established landscape value of the surrounding area. The high presence of other woodlands within the surrounding area does not in itself justify the erosion of the woodland within the appeal site.
16. Despite being outside of the settlement boundary of Farnham, the Council did not resist the proposal based on the appeal site's location. I note the proximity to services and facilities within Farnham and see no reason to take a different view on this matter.
17. Nevertheless, taking all of the above into consideration, I conclude that the appeal site is not suitable for residential development having regard to the proposed land use and the amount of development. The proposal is therefore contrary to Policy NE2 of the LPP1 which in part seeks to maintain and enhance existing trees, woodland and hedgerows within the Borough.
18. It would also be contrary to Policies DM1 and DM11 of the Waverley Borough Local Plan Part 2 (2023) (LPP2) which, amongst other matters, set out that development should not cause harm or damage to existing environmental assets, including through retaining woodland and groups of trees.
19. Policy DM15 of the LPP2 relates to development in rural areas. Whilst I do not find the proposal would be contrary to the element of the policy which requires proposals to not be isolated from everyday services and facilities, it would still be contrary to the policy as a whole, which also requires development to recognise the natural beauty and undeveloped character which is intrinsic to the open countryside.
20. Despite not being explicitly referenced in the reason for refusal, both Policy RE1 of the LPP1 and Policy FNP10 of the FNP refer in part to the need to safeguard the intrinsic character of the countryside. I have therefore also identified conflict with these policies.

Other Matters

21. The Council did not find specific harm in relation to the highway implications of the proposal or that the size of the site could accommodate up to five dwellings. Notwithstanding that these matters may have needed to be addressed further at technical details consent stage, a lack of harm in these respects does not weigh in favour of the proposal.
22. I acknowledge the appellant's concerns over the Council's handling of the application, in particular a lack of update throughout the application process. However, this is not a matter that I can consider under a section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.

Planning Balance

23. The Council is unable to demonstrate a five-year supply of deliverable housing sites as required by the National Planning Policy Framework (the Framework). The Council has confirmed that the present supply is 1.28 years which is a notable shortfall, demonstrating that the need for housing is pressing. Paragraph 11(d)ii of

the Framework requires me to consider whether the adverse impacts of permitting the development would significantly and demonstrably outweigh the benefits when assessed against the Frameworks policies as a whole.

24. Small and medium sized developments present the opportunity to make a meaningful, immediate difference to housing land supply. In this respect I have given the associated housing delivery, which could be up to five additional dwellings, in a location with some access to services and facilities moderate weight in the overall balance.
25. As above, I have identified that the proposal would not be suitable for residential development as it would harm the landscape value of the appeal site and the surrounding area. Given the likely extensive level of tree removal which would be required to facilitate the development, I assign significant weight to that harm.
26. The proposal would be at odds with paragraph 135 of the Framework which requires development to be sympathetic to its landscape setting. It would also be at odds with paragraph 187(b) of the Framework as it would not recognise the intrinsic character and beauty of the countryside, including the economic and other benefits of trees and woodland. In light of these provisions, I find the harm arising from the proposal would significantly and demonstrably outweigh the benefits. The circumstances as set out in paragraph 11(d)(ii) of the Framework exist and so the presumption in favour of granting planning permission does not apply.

Conclusion

27. I have concluded that the proposal would conflict with the development plan as a whole and there are no other material considerations, including the provisions of the Framework, which indicate planning permission should be granted. Therefore, the appeal is dismissed.

L Gardner

INSPECTOR