



Appeal Decision

Hearing held on 22 July 2025

Site visit made on 22 July 2025

by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 AUGUST 2025

Appeal Ref: APP/R3650/W/25/3362383

Springfield, Dunsfold, Godalming

Land coordinates 500925 136002 to the north of Miller Lane and Alfold Road, Dunsfold, Godalming, Surrey.

- 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 Mr Robert and Christopher Miller against the decision of Waverley Borough Council.
 - The application Ref is WA/2023/01020.
 - The development proposed is outline application with all matters reserved except for scale and access, for the erection of 21 dwellings including 7 affordable dwellings together with allotments, parking, public open space, footpath and associated landscape and new drainage infrastructure.
-

Decision

1. The appeal is allowed and outline planning permission is granted for an outline application with all matters reserved except for scale and access, for the erection of 21 dwellings including 7 affordable dwellings together with allotments, parking, public open space, footpath and associated landscape and new drainage infrastructure at land coordinates 500925 136002 to the north of Miller Lane and Alfold Road, Dunsfold, Godalming, Surrey, in accordance with the terms of the application Ref WA/2023/01020 subject to the conditions in the attached schedule.

Costs Application

2. An application for costs was made by Mr Robert and Christopher Miller against the Waverley Borough Council. This is the subject of a separate decision.

Preliminary Matters

3. The application was submitted in outline with approval being sought for access and scale. The appellants confirmed that approval for the point of access of the appeal site with Miller Lane, the internal access road/footways and the footpath along Alfold Road was being sought under the matter of access. The footpath shown on the Illustrative Masterplan to the north of the site was confirmed as not forming part of the application. In terms of scale, they also confirmed that this was as set out within Figure 6 of their Design Statement¹ and that the title of this Figure should be amended to delete reference to 'Indicative'. I have assessed the proposal accordingly, treating the other indicative drawings as such.

¹ Springfield, Dunsfold Design Statement April 2023

4. The description of development above differs from that included on the application form. The appellants have however confirmed in writing that it accurately describes the proposal. The Council determined the proposal on this basis and so shall I. The site address is taken from the appeal form as it more accurately describes the location of the site than that contained on the application form. I have however deleted the duplication of reference to the easting and northing points for conciseness.
5. During the course of the appeal the appellants submitted additional information in respect of ecology. The Council indicated that its concern in respect of protected species (reason for refusal 8) has been suitably addressed.
6. A draft unilateral undertaking (UU) was submitted with the appeal and the Statement of Common Ground (SoCG) indicates that subject to the completion of the planning obligation in respect of various matters that the Council's concerns in respect of reasons for refusal 4 and 5 (affordable housing and accommodation schedule), 7 (public open space, play area and allotments) and 9 (self and custom build) have been satisfactorily addressed.
7. However, at the Hearing the Council raised concern about the cascade clause within the UU in respect of affordable housing considering that a 3 month period was not sufficient. The appellants said that they would consider this matter and with my permission I allowed for this to be explored further within an adjournment of the Hearing.
8. A completed UU was submitted dated 24 July 2025. I will consider this matter later in my decision.
9. An application for costs was made at the Hearing and with my permission I allowed the Council to provide a written response to this, allowing the appellants to respond accordingly.
10. The Hearing was closed in writing on 4 August 2025.

Main Issues

11. The main issues in this case are:

- Whether the location of the appeal site is suitable for the proposal, having particular regard to the development plan's spatial strategy and the site's relationship to services and facilities, and accessibility;
- The effect of the proposal on the character and appearance of the area, including the Surrey Hills Area of Great Landscape Value (AGLV);
- Whether the contributions sought towards affordable housing are reasonable and necessary and if so, whether they could be suitably secured;
- Whether or not the proposal would preserve the setting of nearby listed buildings, and
- Whether the proposal would preserve or enhance the character or appearance of the Dunsfold Conservation Area.

Reasons

Location

12. Policy SP2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites February 2018 (LPP1) sets out the spatial strategy for Waverley. Amongst other matters, it directs major development away from land of the highest amenity and landscape value such as the Surrey Hills Area of Outstanding Natural Beauty and the Green Belt; focussing development at Farnham, Godalming, Haslemere and Cranleigh; allowing moderate development in larger villages, of which Dunsfold is not identified and allowing limited levels of development in and around a number of villages, including Dunsfold.
13. LPP1 Policy ALH1 identifies the amount and location of housing stating that a minimum of 100 new homes will be provided within Dunsfold Parish (not including Dunsfold Aerodrome) in the period from 2013 to 2032.
14. The appeal site is located within the countryside for planning policy purposes, in close proximity to the built form of Dunsfold. It is located outside of the Green Belt and the Surrey Hills AONB (now National Landscape), within the Surrey Hills AGLV. Whilst the site and its environs have been identified as a candidate for inclusion in the Surrey Hills National Landscape (SHNL), further consultation in this regard is necessary. As such whilst there is a high probability that the appeal site and its environs will be included in the SHNL in the future, at this time it is not.
15. The proposal for 21 dwellings comprises major development which is not disputed. At this quantum, there is no dispute that the proposal would not result in limited development around Dunsfold for the purposes of LPP1 Policy SP2.
16. Although not referred to within the Council's decision notice, it asserts that the proposal would conflict with criteria 1 of Policy SP2 of LPP1 in that the proposal would comprise major development on land of the highest amenity and landscape value. It is submitted that whilst AGLV is not specifically mentioned within the policy that it is its intention to cover such areas. I have not been directed to any policy supporting text to support this claim, and it is reasonable to surmise that the absence of reference to a local designation such as AGLV was intentional, elevating national designations (AONB and Green Belt) above local landscape designations in terms of the highest amenity and landscape value. Indeed, LPP1 Policy RE3 recognises the difference between the AONB and the AGLV in that the protection of the AGLV is commensurate with its status as a local landscape designation. I note different Inspectors² have interpreted this aspect of the policy differently, but for the reasons set out I find that there would be no conflict with Policy SP2 1. in this regard.
17. Dunsfold has a number of services and facilities including a village shop and post office, public house, village hall, churches, sports and social club and recreation ground and play park. The No 42 bus service also frequents the village and whilst services are limited to Monday to Saturday (excluding bank holidays), it provides a reasonably regular service to Cranleigh and Guildford, as well as Godalming, serving places of education as well as larger shops.

² Ref: APP/R3650/W/23/3332590 - Land at Coombebury Cottage, Dunsfold Common Road; Ref: APP/R3650/W/23/3326412 Land East of Knowle Lane Cranleigh

18. Other than the sports and social club and recreation ground and play park, the services and facilities are within 700 metres of the appeal site and they could reasonably be walked to from the appeal site. Whilst this distance accords with established principles relating to walkable neighbourhoods, this is normally on the premise that the facilities can be accessed comfortably on foot.
19. In this instance in order to reach nearby services on foot residents of the scheme would need to walk along Alfold Road. This road within the vicinity of the site is covered by the national speed limit. Although there is no dispute between that parties that the road is lightly trafficked, vehicles travelling along it could be travelling at speed given the straight stretch of road out of the village. It has no street lighting and other than a small area of pavement at the junction with Miller Lane, it is devoid. Accordingly, it is unlikely that Alfold Road would be a comfortable route to traverse to access facilities in the village from the appeal site, particularly for people with disabilities, with young children and in inclement weather and after dark. In this respect the services and facilities within the village would be unlikely to be accessible other than by car.
20. That said, the appellants propose a footpath along the Common linking the site with the facilities in the village. This would require a separate consent³, but if it were provided, and a condition could secure its provision, I am satisfied that the services and facilities within the village, including the bus would be accessible to the intended future occupiers of the new housing, within a 20 minute walk/cycle as promoted by the Local Transport Plan 2022-2032 (Surrey County Council) (LTP). Accordingly, I find that the appeal site would not be isolated from everyday services and facilities and the provision of a footpath would encourage more sustainable patterns of movement, reducing people's reliance on the car, particularly for day-to-day goods.
21. Whilst a car journey would be required to higher order settlements when the bus service was not running, that is so for the existing residents of the village. The occupiers of the scheme would have access to sustainable travel modes, and facilities to encourage walking are part of the scheme. It is noteworthy that LPP1 Policy ST1 and the National Planning Policy Framework (Framework) at paragraph 110 recognise that sustainable transport solutions will vary between urban and rural areas. The appeal does not fall on this matter.
22. Although the new dwellings would not be isolated from services and facilities and would contribute to the amount of housing within the parish of Dunsfold supporting the objectives of Policy ALH1 of LPP1 and Policy DM15 of Waverley Local Plan Part 2 (LPP2), the development of the site would not be in a way that is supported by the spatial strategy of the development plan, it not comprising limited development adjoining Dunsfold. Accordingly, the location of the appeal site is not suitable for the proposed housing because of the conflict with Policy SP2 of LPP1.

Character and Appearance

23. The appeal site comprises an 'L' shaped area of grassed land, currently used as paddock. It is accessed from Miller Lane, which serves 8 dwellings. It comprises part of the open, undeveloped setting of the village and is largely contained by woodland to the north, residential properties at Bridge House and Springfield House to the northwest, mature landscaping between the site and Nursery

³ Under the Commons Act 2006

(Springfield Garden), residential development at Miller Lane and a gappy hedgerow along the eastern boundary. Views of the site are limited and localised given these characteristics.

24. It is common ground that the site is located within a valued landscape for the purposes of paragraph 187 a) of the Framework. It is located within the Surrey Hills AGLV. Nearby is the boundary with the SHNL but the parties are in agreement that due to distance and the high level of containment of the appeal site that the proposal would result in no material effect on the setting of the SHNL. From all that I have seen and read I have no reason to find differently in respect of these matters.
25. The Surrey Landscape Character Assessment (April 2015) (SLCA) identifies that the appeal site is located within landscape type Wooded Low Weald, within West Dunsfold Wooded Low Weald. Key characteristics of the Wooded Low Weald include significant amounts of tree cover with small field sizes, predominantly laid to pasture and enclosed by tree cover and hedges. Secluded villages include Dunsfold. West Dunsfold Wooded Low Weald's key characteristics include Dunsfold Common, woodland blocks, arable fields and smaller areas of pasture and the enclosed nature of the character area is recognised as limiting long distance views. A further characteristic is the rural, tranquil landscape, with areas of very limited disturbance from settlement and roads, and a sense of remoteness and intimacy particularly with woodland.
26. Dunsfold is an attractive rural village, with residential development largely focussed on Dunsfold Common, set in spacious plots, with mature landscaping, following a linear pattern of development. There is however more modern, higher density housing development to the north of the village, including at Gratton Chase and Nugent Close which are set back from the road through the village, and served by cul-de-sacs. Agricultural land and woodland surround the village, and mature landscaping is a feature of the area. These features give the locality a sense of openness and tranquillity. The appeal site makes a positive contribution in this regard.
27. The appeal proposal would introduce development onto a site where there is none at present. It would erode the open, countryside setting of the village and would introduce a depth of residential development that would be uncharacteristic of the ribbon form of development that is characteristic of the area. The cul-de-sac layout would introduce a suburban type of housing development into this edge of village location, which would be uncharacteristic of the pattern of development along Alfold Road.
28. However, the appeal site is well contained with a belt of woodland to the north, mature vegetation along Alfold Road, and there is limited visibility of it other than from Miller Lane and from nearby dwellings, with glimpsed views from Bridleway 282, and from the cricket pitch and Common particularly when the vegetation is not in leaf. It is well related to the built form of the village. As a consequence, these features limit the harm that would be caused by the proposal, resulting in a localised and limited visual and spatial impact.
29. It is my judgement that subject to the detailed design of the scheme and landscaping, including external lighting that there is no reason why the proposed housing could not be successfully integrated into the village in a similar way to

more recent developments at Gratton Chase and Nugent Close. Moreover, the indicative drawings show generous areas for landscaping which would complement the mature landscaping within the area and would serve to mitigate the impact of the scheme, particularly from the site's access and fields to the east. The residential nature of the scheme and the quantum of development proposed would be unlikely to harmfully reduce the remoteness or the tranquillity of the area or the other key landscape characteristics, including the enclosed nature of the site, as set out within the SLCA.

30. The footpath proposed across the Common would not be unique, there being paths across the Common elsewhere in the village. Whilst this aspect of the proposal would change the Common's appearance where it would be placed, it would be likely be of a limited width, and subject to the details of the construction and materials which could be controlled, I am satisfied that it would be unlikely to result in harm to the character or appearance of the area.
31. Given my findings and acknowledging that any harm would be localised and limited, it is clear that the proposal would erode the open countryside setting of the appeal site, which is a valued landscape in terms of the Framework and within the AGLV. The countryside would not be safeguarded, respected or enhanced, in conflict with the local character objectives of LPP1 Policy TD1, the character and beauty of the countryside objectives of LPP1 Policy RE1, the landscape character objectives relating to AGLV of Policy RE3 of LPP1, the landscape value objectives of Policy DM1 of LPP2, and the character and pattern of development objectives of Policies DM4 and DM15 of LPP2. There would also be conflict with paragraph 187 of the Framework which sets out, amongst other matters, that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

Affordable Housing

32. LPP1 Policy AHN1 requires that a minimum provision of 30% affordable housing is provided on all housing developments where certain criterion applies. This is applicable to the appeal proposal and the submitted UU would make provision for 7 affordable housing units upon the site.
33. Although not raising concern in terms of the number of affordable housing units, the Council is concerned that in the event that an affordable housing provider decides to dispose of the units that a period of three months is not sufficient for an alternative provider to be found. The implications of the UU would be that in such circumstances the affordable housing upon the site would not be secured.
34. It is submitted by the appellants that the disputed clause (5.1.2) is an industry standard with my attention drawn to the National Housing Federation – Example Standard Mortgagee Protection Clause. The Council accepted the same clause in the appeal at land at Coombebury Cottage⁴, as did the Inspector in determining that appeal. English Rural Housing Association who intend to deliver the affordable housing on the appeal site have stated that it would be unable to agree an extended period because any longer would likely reduce the borrowing potential they could achieve.

⁴ Ref: APP/R3650/W/23/3332590

35. Having regard to the above, and the absence of evidence to demonstrate that the clause results in affordable housing not being provided on development sites, I am satisfied that the submitted UU would be unlikely to result in a situation where policy compliant affordable housing would not be provided. Accordingly, the proposal accords with Policy AHN1 of LPP1.

Listed Buildings

36. Within the vicinity of the appeal site are a number of listed buildings. In this regard I am mindful of my duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires me to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
37. Common House is a handsome detached property dating from the 17th century and is a Grade II listed building. It was restored in the 20th century. Its significance and special interest derive from its aesthetic, architectural style, surviving historic fabric and layout. Special interest is also derived from its relationship to Dunsfold Common, and the open land around it which comprise its setting. In this regard the appeal site forms part of the setting of this designated heritage asset.
38. Although not before me at this outline stage, I am satisfied that given the relationship of the appeal site to Common House and the visual and physical separation, that details of layout and landscaping could be secured which would ensure that the proposed housing scheme would have a neutral effect on the significance of this listed building, through development within its setting. In this regard there would be no conflict with the statutory duties contained within the Act.
39. Yonder Lye is also Grade II listed and dates from the 17th century. Although extended and remodelled in the 19th and 20th centuries, it is an attractive residential property and its significance derives from its architectural style, surviving historic fabric and layout. Its strong relationship to Dunsfold Common, despite being enclosed from it, is part of its significance providing an open outlook to the front and an appreciation of the property from the Common within the vicinity of the designated heritage asset.
40. The proposed housing scheme would not have an effect upon the setting of Yonder Lye, being separated from by extensive landscaping and distance. However, the proposed footpath along the Common on the opposite side of the road would be likely to alter the surfacing of the Common in close proximity to the listed building. At this stage little detail has been provided in respect of the design of the footpath, including its surfacing and construction. If the path were constructed similar to other paths within the village, which are relatively informal with no kerbstones, unlit and with levels similar to the grassed surface of the Common, I am satisfied that the setting of the listed building would be preserved. Such matters could be controlled by way of planning condition and would of course need separate consent under the Commons Act as set out earlier in this decision.
41. Dunsfold War Memorial and surrounding enclosure, upon the Common on the opposite side of the road to Yonder Lye is a grade II listed building. Unveiled in 1934 it commemorates the men of the parish who died during the First World War and following the Second World War the memorial was updated to commemorate those who lost their lives in this conflict. The significance of this listed building is historical and social. It is located within a prominent position with open land around

it forming its setting, highlighting the focal point for remembrance and the significance of the structure within the village.

42. The new housing upon the site would, because of distance and landscaping, preserve the setting of the listed building, but the footpath proposed would cut across the path leading to the War Memorial thereby reducing the primary route to it. This would erode the significance of the setting of the listed building, which would not be preserved, in conflict with the Act.
43. In terms of the Framework, I find that the harm that would be caused to the significance of the designated heritage asset would be less than substantial. This would be at the lower end of the scale, given the footpath's likely width, construction and the localised nature of the harm. However, this is a matter to which I attach considerable importance and weight. In accordance with the Framework, this harm needs to be weighed against the public benefits of the proposal, and this is assessed later in this decision.
44. Given the harm that I have identified to the significance of the Dunsfold War Memorial, there is conflict with LPP1 Policy HA1 which seeks to preserve or enhance the setting of listed buildings. At this point I am unable to conclude on LPP2 Policy DM20 because the public benefits of the scheme have not been assessed.

Conservation Area

45. The proposed housing site is located outside of the Dunsfold Conservation Area as are parts of the proposed footpath along Dunsfold Common, however some of this proposed path is located within it.
46. The conservation area focusses on the swathe of Common running through the centre of the village, taking in numerous historical buildings on either side. It comprises residential development of a domestic scale and is open and verdant in character with mature trees lining the main road and throughout the area. There are open vistas along the Common from one end of the Conservation Area to the other. Small paths run along the edge of the Common along with some access roads, and whilst the grass was long at the time of my visit, a number of informal paths through the Common were apparent.
47. The proposed path along the Common would alter the surfacing of Common where it is constructed. However, small paths on the edge of the Common are a feature of the area, including within the conservation area, and subject to the details of the path being appropriate for its context, it is my judgement that the proposal would preserve the character and appearance of the conservation area. There would be no conflict with LPP1 Policy HA1 which seeks to conserve or enhance the significance of heritage assets. Moreover, there would be no conflict with the duty under section 72(1) of the Act.
48. There is no statutory requirement in respect of the setting of conservation areas. The Framework however recognises that development within the setting of a designated heritage asset could result in harm to the significance of the designated heritage asset. In this regard the proposal would erode the landscape setting of the village, but the boundary of the conservation area is separated from the appeal site by houses at Springfield House and Bridge House, by the site at Springfield Garden and development at Miller Lane. Given the mature landscaping that exists as well

as nearby development outside of the conservation area, there is little intervisibility between the appeal site and the conservation area. Subject to suitable materials and construction of the footpath outside of the conservation area, it is my judgement that the proposal would have a neutral effect upon the setting of the conservation area.

Public Benefits

49. The proposal would provide a mix of market and affordable homes at a time when the Council cannot demonstrate five years of deliverable housing sites. At a supply of 1.28 years, as agreed, there is a pressing need for the supply of new housing to be increased. The delivery of market housing is afforded substantial positive weight and the provision of affordable housing is separately afforded substantial positive weight.
50. This medium sized site would be likely to be built out relatively quickly, a matter to which I give moderate weight. The proposal would provide biodiversity enhancements with reference being made to a net gain of habitat units in the region of 15.6%. This biodiversity net gain, which whilst not mandatory in this case given the date of the planning application, is a public benefit which carries moderate positive weight in favour of the proposal.
51. The economic benefits of the scheme, both during construction, and once occupied with the likely support that the occupiers of the new dwellings would give to local services are public benefits which carry moderate weight. Likewise, the social benefits that would result from the occupation of the new homes carries moderate positive weight.
52. The provision of a footpath link between the village services and facilities and Miller Lane would be used by occupiers of the scheme, by the occupiers of the affordable housing in Miller Lane, and by other members of public. This provision is therefore a public benefit which weighs in favour of the scheme.
53. The provision of allotments and public open space, whilst a policy requirement of the scheme would be likely to be available to non-occupiers of the scheme, particularly the allotments. This public benefit carries moderate positive weight, given the lack of accessibility to allotments in the locality as demonstrated by the Council's Open Space, Sport and Recreation Study - Allotments.
54. In light of the above, I am persuaded that there would be wider public benefits of the scheme, of sufficient magnitude to outweigh the less than substantial harm that would be caused to the significance of the designated heritage asset, and the considerable importance this carries. Accordingly, the proposal accords with LPP2 policy DM20, the historic environment policies of the Framework and the expectations of section 66(1) of the Act.

Other Matters

Planning Obligation

55. The submitted UU would, in the event that planning permission was granted and implemented provide for, amongst other matters 7 affordable homes of different sizes and tenure, 10 allotments, a local equipped area of play, public open space, along with measures for future maintenance, and a self-build and custom-build plot.

56. I have considered the obligations set out in the UU in light of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), along with guidance on the use of planning obligations. In terms of the affordable housing, such provision is a requirement of the development plan (Policy AHN1 of LPP1), as is the open space, allotments and play area, along with their maintenance (Policy LRC1 of LPP1). The provision of a self and custom build plot is a requirement of Policy DM36 of LPP2. Given the above I am satisfied that all of the obligations contained within the UU are necessary to make the development acceptable in planning terms, are directly related to the development and fairly and reasonably related in scale and kind to the development.

Biodiversity

57. A number of Protected Species have been identified which may be affected by the proposal as included in the appellant's Ecological Impact Assessment (Deepdene Ecology July 2004) (EIA) and bat activity studies. I am mindful of protected species legislation and duties including the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, the Wildlife and Countryside Act 1981 as amended, and the Protection of Badgers Act 1992, and the Natural Environment and Rural Communities Act 2006 (as amended).
58. The EIA identified that the appeal site supports a diverse assemblage of foraging and commuting bats primarily along the boundary vegetation and into the woodland beyond the site, including Barbastelle and Bechstein Bat. The majority of boundary vegetation is to be retained on the site and the woodland outside of it would not be affected by the proposal. A number of trees are proposed to be removed, but the submitted evidence indicates that they are located within areas of lowest bat activity and their removal would not have a significant impact on bat populations, they being not suitable for significant numbers of roosting bats. Mitigation measures are proposed within the surveys, including checking the trees that are to be removed for signs of bats, felling methods, limiting external lighting and new landscaping provision. Such matters could be secured by planning conditions to ensure that the protected species would not be adversely affected by the proposal.
59. A Badger survey was also undertaken and subject to the mitigation therein, and in the absence of substantive evidence to demonstrate otherwise I am satisfied that the proposal would not have an adverse impact on this protected species.
60. Although there are no water bodies on the appeal site, the EIA identified that there were a number within 500 metres of the site. Of these Great Crested Newts were confirmed in 4 of them. The appeal site was identified as suitable foraging for this protected species as well as other amphibians, however this varies depending on whether the site is being grazed or not. The survey identified a number of mitigation measures to ensure that protected species were protected and enhanced, which could be secured via planning conditions.
61. I am satisfied that suitably worded planning conditions would provide the necessary detail and certainty to secure the required mitigation and that no significant harm would be caused to protected species in accordance with LPP1 Policy NE1 which, amongst other matters, seeks to ensure that adverse impacts on biodiversity are avoided, or if unavoidable, are appropriately mitigated. The Council found similarly in this regard as set out earlier.

Drainage

62. Concerns have been raised in respect of foul drainage in terms of both the suggested private sewage treatment plant and capacity issues with foul water. Thames Water have indicated that it would take approximately 20 months to model, design and construct reinforcement measures to allow capacity for the proposed development. Such a timeframe would ensure that the grant of planning permission would not expire and to address these concerns it seems reasonable to me to attach a planning condition requiring drainage details to be approved. It is noteworthy that the Council did not refuse planning permission in respect of these matters.

Highway Safety

63. The highway conditions of Alfold Road are set out earlier in my decision. It is likely that following the development of Dunsfold Park that vehicle numbers using this road may increase. However, the Highway Authority has not raised highway safety as a concern in respect of the proposal. The number of vehicle movements associated with the development would not be significant. In the absence of evidence to substantiate the highway safety concerns raised, I am unable to find differently to the Highway Authority in this regard.

Loss of Agricultural Land

64. The Council has indicated that the appeal site is Grade 3 agricultural land which does not fall within the definition of best and most versatile agricultural land. My attention has not been drawn to any planning policies which prohibits the development of this grade of agricultural land. The proposal does not fall on this matter.

Living Conditions

65. Bridge House is in close proximity to the boundary of the appeal site and there may be the potential for a loss of privacy to its rear garden from new housing upon it. However, the detailed design and the location of the houses is not before me at this stage. This is a matter that would be considered as part of a subsequent planning application which would be made to the Council in the first instance.

Need for dwellings

66. Interested parties have questioned the need for more housing in Dunsfold, particularly given the development at Dunsfold Park. As I have set out earlier, there is a pressing and urgent need for new houses within the Borough and the development of this site would go some way in addressing the housing needs of the population of the Borough, both for affordable and market housing.

Coalescence with Dunsfold Park

67. Dunsfold Park is located some distance from the appeal site and between the 2 sites are areas of woodland and agricultural land. The Council has raised no concern in respect of this matter and from what I saw on my visit I have no reason to find that the merging of the 2 sites would occur.

Housing Land Supply

68. Although the parties have differing views on how they describe the housing land supply shortfall, they are in agreement that at 1.28 years supply, the Council is unable to demonstrate a five year supply of housing land as required by the Framework. In these circumstances Policy SP2 of LPP1, in so far as it limits development in/around other villages, including Dunsfold, is out of date, as is Policy ALH1 since it fails to provide for the minimum number of homes over the plan period.

Planning Balance

69. I have found that the proposal would result in harm to the spatial strategy of the area with the proposal comprising more than limited development in Dunsfold, but I give limited weight to the conflict with the development plan in this regard because the Council's development strategy is out of date. I have also found that the character and appearance of the area would be harmed by the proposal, which whilst limited and localised would not protect and enhance the valued landscape within which the appeal site is located, in conflict with the development plan and the Framework. This weighs significantly against the proposal. Great weight is given to the harm to the significance of the designated heritage asset at the War Memorial.
70. Both main parties acknowledge that given that the Council is unable to demonstrate a five year supply of housing land, paragraph 11. d) of the Framework is engaged, which sets out that planning permission should be granted unless certain circumstances apply which are set out in paragraphs 11. d) i and ii.
71. Whilst I have found that the proposal would result in harm to a designated heritage asset, I have found that the public benefits of the proposal outweigh the identified harm. Accordingly, the effect of the proposal on designated heritage assets does not provide a strong reason for refusing the development proposed. Given the issues in this case, there would be no other policies within the Framework that protect areas or assets of particular importance. The proposal would not conflict with Framework paragraph 11. d) i.
72. This then leads me to Framework paragraph 11. d) ii. which sets out that a proposal should be assessed against the policies in the Framework taken as a whole, having regard to the key policies within it which should be applied to a proposal as set out in footnote 9.
73. Whilst the proposal would result in harm to the character and appearance of the area, including the AGLV, that harm would be limited and localised. Taking the AGLV as a whole, I find that the proposal would be unlikely to undermine this landscape designation given its scale. The prevailing character of the area could be maintained through careful design and landscaping, in accordance with Framework paragraph 129, and the proposal would make a valuable contribution to providing housing to address an identified need. It would also provide a mix of affordable housing, which meets identified local need, at a time of significant under delivery thus there is no conflict with Framework paragraph 66.
74. Isolated homes in the countryside for the purposes of Framework paragraph 84 would not result, the appeal site being located a short distance from the services and facilities within the village and nearby dwellings. Paragraph 91 of the Framework is not relevant given the nature of the proposal. For the reasons set out

above sustainable transport solutions would be available to occupiers of the scheme, whilst recognising that such solutions will vary between urban and rural areas, in accordance with Framework paragraph 110. The evidence before me indicates that there would be no harm to highway safety or other matters referred to in paragraph 115 of the Framework. Subject to the detailed design of the scheme, I am satisfied that the proposal could be integrated into the local character and history of the area and that a strong sense of place could be created, along with other matters set out in paragraphs 135 and 139.

75. Other considerations which weigh in favour of the proposal are the economic benefits associated with the new dwellings, both during construction and upon occupation supporting the Framework's objectives of building a strong, competitive economy and its economic objectives of sustainable development. This is a matter that carries moderate positive weight. Social benefits associated with occupation of the new dwellings and the support that would be likely given to services and facilities in the village and nearby settlements would support the Framework's social objectives of sustainable development, as would the provision of outdoor space, allotments and footpath which would have a wider community benefit. These are given moderate positive weight also. Biodiversity enhancements would support the Framework's aims of conserving and enhancing the natural environment and the environmental role of sustainable development, to which I give moderate positive weight.
76. The size of the site is likely to be attractive to Small and Medium Enterprise housebuilders who often build out relatively quickly supporting the delivery of new homes at a time when there is a chronic under delivery. The fact that a Housing Association who has delivered the housing currently on Miller Lane is party to the planning obligation indicates a commitment to deliver the much-needed affordable homes. Moderate positive weight is given to these matters. The provision of a self and custom build plot supports the Framework's objectives in this regard, but being in accordance with policy does not weigh in the proposal's favour. The delivery of homes would support the Government's objective of significantly boosting the supply of homes, and the support it gives to providing affordable homes on site. Given the Council's housing land supply position, the provision of market homes carries substantial positive weight, and the provision of affordable housing is separately afforded substantial positive weight.
77. Given the above I find that the conflict with the settlement strategy for the area and the limited harm that would be caused to the character and appearance of the area and the AGLV as a whole, in conflict with the development plan, would not significantly and demonstrably outweigh the benefits of the proposal in terms of the delivery of market and affordable housing when assessed against the policies of the Framework taken as whole, including the key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Accordingly, in such circumstances and having regard to Framework paragraph 11.d), planning permission should be granted.
78. In reaching this conclusion I am mindful that the Inspector in the North Graddon Chase appeal⁵ found differently to me when dismissing the appeal. However, the circumstances in this case do not appear to be directly comparable to the scheme

⁵ Ref: APP/R360/W/22/3293777

before me, particularly in respect of the character of that site, being a wooded plantation as opposed to an area of paddock, and the vestigial link that this site provided to the adjoining woodland. Furthermore, the Inspector identified that the housing land supply shortfall was minor-modest at between 4.3 and 4.9 years, as opposed to 1.28 years in this case. Each application and appeal must be determined on its merits and this decision does not alter my findings.

Conditions

79. The main parties have agreed a list of conditions which I have considered in light of guidance on conditions set out in the Framework and Government guidance. I have amended some of the wording in the interests of conciseness and precision and to ensure that the tests relating to the application of planning conditions are adhered to.
80. Time limit conditions for implementation and the submission of reserved matters as well as defining what they are, are necessary to define the permission, as is a condition requiring that the development is carried out in accordance with the approved drawings in so far as they relate to matters for which approval is sought.
81. A condition requiring the reserved matters to be undertaken in general accordance with the illustrative masterplan is necessary to protect the character and appearance of the area, however in terms of layout and appearance care will need to be taken to ensure that the living conditions of nearby occupiers are not diminished. Conditions relating to levels is necessary to protect the character and appearance of the area, as are ones requiring details of the Local Equipped Area of Play, management of the allotments, and the external materials of the dwellings. In the interests of the character and appearance of the area including its effect on designated heritage assets, and to encourage sustainable travel modes a condition requiring the provision of and controlling the materials and construction of the footpath along the Common is necessary. A condition requiring archaeological investigation is necessary to ensure that accurate recording is undertaken in the interests of the historic environment.
82. To ensure that the site is suitably drained, conditions requiring the approval and implementation of a surface water and foul water drainage scheme is necessary. In the interests of the living conditions of nearby occupiers and highway safety, a condition controlling transport associated with the development of the scheme is necessary. A condition requiring a Waste Management Plan to be approved and implemented is necessary to protect living conditions and the character and appearance of the area. To promote sustainable travel a condition requiring the submission, approval and implementation of a travel plan is necessary. Conditions to enhance biodiversity, trees and protect protected species are necessary, including controlling external lighting.
83. The appellants have agreed the pre-commencement conditions in writing. Separate conditions relating to landscaping details as suggested are not necessary as this is a matter that is reserved for future consideration.

Conclusion

84. For the above reasons, there are material considerations in this case which outweigh the identified harm and conflict with the development plan particularly those associated with affordable and market housing when assessed against the

key policies of the Framework set out in footnote 9, and the policies of the Framework taken as a whole.

85. The appeal is therefore allowed with the identified conditions.

RC Kirby

INSPECTOR

Richborough

APPEARANCES

FOR THE APPELLANTS

Mr Robert Miller	Appellant
Mr Christopher Miller	Appellant
Mr Aaron Smith	Master Land and Planning Ltd
Ms Ellie Sims	WH Landscape Consultancy Ltd
Mr Nick Hughes	English Rural Housing Association

FOR THE LOCAL PLANNING AUTHORITY

Mr David Jobbins	Luken Beck
------------------	------------

INTERESTED PARTIES

Mr Alan Ground	Local Resident
----------------	----------------

DOCUMENTS SUBMITTED AT THE HEARING

HD1	Officer report in respect of WA/2017/1815
HD2	Speaking notes of Mr Alan Ground
HD3	Appellant's application for costs

DOCUMENTS SUBMITTED AFTER THE HEARING

PHD1	Completed Unilateral Undertaking dated 24 July 2025
PHD2	Council's Costs Rebuttal
PHD3	Applicants' Response in respect of Costs

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. Details of the appearance, landscaping and layout, ("the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
4. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan (22007/PLBD-P001-A)
 - Scale Plan (Figure 6 Revision A)
 - Access Plans (1134/SK1, SK2, SK3)
5. Details of the reserved matters shall be in general accordance with the Illustrative Masterplan 22007-MP-P001-D.
6. Any reserved matters application relating to layout shall be accompanied by full details of the finished floor levels for each building and finished levels of all roads and footpaths.
7. Any reserved matters application relating to layout shall include details of the proposed Local Equipped Area of Play and layout and management of the proposed allotments which shall be available for use prior to the first occupation of any dwellings hereby approved.
8. The reserved matters application relating to layout/landscaping shall include a Landscape and Ecological Management Plan (LEMP). Proposals for ecological enhancement, and where required, compensation and mitigation put forward within the LEMP should be based on the impact avoidance, mitigation and biodiversity enhancement recommendations of the Preliminary Ecological Appraisal and the Ecological Impact Assessment prepared by Deepdene Ecology and that of subsequent surveys and assessments.
9. Any reserved matters application relating to layout/landscaping shall be accompanied by a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the Arboricultural method statement) in accordance with paragraphs 5.5 and 6 .1 of British Standard BS 5837: Trees in relation to design, demolition and construction - recommendations (or in an equivalent British Standard if replaced). The scheme for the protection of the retained trees shall be carried out as approved
10. Prior to development commencing on site, full details, including constructional details and surfacing material, of the proposed footpath on the western side of Alfold Road shall be submitted to and approved in writing by the Local Planning Authority. The proposed footpath shall be completed in accordance with the approved details and available for use prior to the first occupation of any dwelling on the site.

11. No development shall commence on site until a programme of archaeological work has been implemented, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.
12. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.
13. No development shall commence until a Construction Transport Management Plan has been submitted to the Local Planning Authority for approval which shall include, but shall not be limited to details of:
 - a) parking and turning for vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials
 - d) programme of works (including measures for traffic management)
 - e) HGV deliveries and hours of operation
 - f) vehicle routing
 - g) wheel washing facilitiesThe approved Construction Transport Management Plan shall be adhered to for the duration of the construction of the development.
14. Prior to any development commencing on site a Waste Management Plan (WMP) shall be submitted to and approved by the Local Planning Authority. The WMP shall demonstrate measures to minimise all waste arising from the construction of the development and once approved, shall be implemented in full for the duration of all building works.
15. No development above damp-proof course level shall take place until samples of all external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
16. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed in accordance with the agreed scheme along with details of its future management and maintenance.
17. No dwellings hereby permitted shall be occupied until works for the disposal of foul sewage have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.
18. The development hereby approved shall not be occupied unless and until a Travel Plan based on the principles of the Framework Travel Plan is submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented prior to occupation of the development, and thereafter it shall be maintained in accordance with the approved Plan.

19. No external lighting shall be installed on site until a bat sensitive lighting plan has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details.

END OF CONDITIONS

Richborough



Costs Decision

Hearing held on 22 July 2025

Site visit made on 22 July 2025

by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 AUGUST 2025

Costs application in relation to Appeal Ref: APP/R3650/W/25/3362383

Land coordinates 500925 136002 to the north of Miller Lane and Alfold Road, Dunsfold, Godalming, Surrey.

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Robert and Christopher Miller for a partial award of costs against Waverley Borough Council.
 - The appeal was against the refusal of planning permission for outline application with all matters reserved except for scale and access, for the erection of 21 dwellings including 7 affordable dwellings together with allotments, parking, public open space, footpath and associated landscape and new drainage infrastructure.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The applicants considers that the Council made vague, generalised or inaccurate assertions about the proposal's impact on the AGLV and landscape character which was unsupported by any objective analysis.
4. Whilst the Council's evidence included references to previous appeal decisions in the locality, these were used support its concerns about the proposal's impact on the landscape character of the area and the AGLV. Reference to other appeal decisions is often used in appeals to support a party's case and the Council's reference to such matters does not demonstrate unreasonable behaviour.
5. The Council described the character of the area, referred to the development plan and drew my attention to the Surrey Landscape Character Assessment to support its case. It also provided an analysis of the effect of the proposal on the character of the area, and I too found harm in this regard. It is not the Council's role to undertake a separate landscape assessment, but to assess that which is submitted, and in doing so it agreed with some of the matters set out in WH Landscape's Landscape and Visual Impact Appraisal, including the degree of containment of the appeal site and that its development would not result in harm to the National Landscape.

6. I have not been provided with information as to why a Landscape Officer was not involved in this case, but that in itself does not demonstrate unreasonable behaviour on the Council's part. I am satisfied that the Council substantiated its concern both in writing and at the Hearing.
7. It is also submitted that the Council should have considered attaching a condition to the surfacing of the footpath across the Common. The National Planning Policy Framework at paragraph 207 makes it clear that in terms of the historic environment that 'The level of detail (submitted by an applicant) should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.'
8. The submitted details of the footpath were limited to a red line showing its route along the Common and plans showing its length and width. No details of surfacing or construction was included. Whilst I have found that this matter could be controlled by planning condition, it was entirely reasonable of the Council to raise the footpath's impact on the significance of designated heritage assets as a concern given the information that was before it at the time of the application, and also to alert me of this fact so that it could be considered as part of this appeal.
9. Even if I had found that the Council had acted unreasonably in this regard I am unclear of the wasted expense that the applicant would have incurred, save for a couple of paragraphs within evidence and alerting me to other footpaths on the Common, which the Council had also drawn my attention to.
10. For the above reasons I find that unreasonable behaviour resulting in unnecessary or wasted expense as set in the PPG has not been demonstrated. For this reason and having regard to all other matters raised, an award of costs is therefore not justified.

RC Kirby

INSPECTOR