

Appeal Decision

Site visit made on 20 September 2016

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 05 October 2016

Appeal Ref: APP/R3650/W/16/3152575

Farnham Sorting Office, 107 West Street, Farnham, Surrey GU9 7LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Royal Mail Group against the decision of Waverley Borough Council.
 - The application Ref WA/2015/1942, dated 25 September 2015, was refused by notice dated 18 December 2015.
 - The development is the erection of two external walls to create an enclosure for use as a boiler room, installation of two portakabins within the service yard and associated works including the removal of cycle shelters and relocation of air condition units.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For the purpose of clarity, while the development appeared to be complete at the time of my site visit, I noted that the air-conditioning units had been installed on the wall running at ninety degrees and north-west from the boiler room rather than the wall indicated on drawing PL06. I have based my decision on the drawing rather than the installed works.

Main Issue

3. The Council does not object to the demolition of the cycle sheds or to the enclosure for a boiler room together with the relocation of the air-conditioning units. The main issues therefore, are the effect of the portable buildings on the street scene and whether they preserve or enhance the character or appearance of the Farnham Conservation Area (CA).

Reasons

Background

4. As a result of the increase in online shopping, the appellant's mail business has grown, prompting the need for additional space, which the development the subject of this appeal was designed to satisfy. It involved the demolition of superfluous mail delivery-bike sheds, and the erection of two, portable buildings for mail sorting. Since the planning application the subject of this appeal was refused, the Council has granted planning permission for a similar development, but for a limited period of 3 years. This appeal relates to the development without a restriction on its duration.
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The effect on the street scene and the Farnham Conservation Area

5. Between Farnham Post Office fronting West Street to the south, and Lion and Lamb Way to the north, stands the Royal Mail Group's Farnham Sorting Office and an expansive, open yard given over largely to operational parking with two ancillary structures for vehicles, cycles, and trollies. An office building and yard enclose part of the site to the east, while to the west, beyond a passageway, stands a St. John Ambulance Centre building and some housing. To the north of the entrance to the yard, are a large, public car-park and a supermarket. The Council's objection concerns the two, portable buildings erected in the yard. In its view, their siting, detailing and materials appear out of place in the street scene and they fail to preserve or enhance the character and appearance of the CA.
6. Under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The appellant considers that there is no visual relationship between the location of the portable buildings and the focal points of the CA where the assets which give it its significance are located. The Council describes the significance of the CA as the relationship between the medieval routes and street layout with the medieval and later buildings which gives the town a unique grain and depth of settlement.
7. Notwithstanding the interesting buildings which stand along part of the length of Lion and Lamb Way to the west of the appeal site, the areas behind the frontage buildings lining West Street include buildings which have a more back-of-house, utilitarian character. They are dominated by the expansive, public, car-park and the smaller yards behind the Post Office and behind the adjacent BT building. In terms of character, and given the bearing of the Sorting Office behind the portable buildings and their relatively modest height, the character context of the development is narrow. The portable buildings are used for sorting mail and occupied by postal workers who come and go with mail from the main building. Postal workers, delivery vans, and mail trolleys pass around the portable buildings.
8. Within the confines of the site therefore, the character of the development is little different to that of the existing Sorting Office and yard. Between the neighbouring St. John Ambulance Centre building to one side, which has an ambulance bay and opening in its elevation to Lion and Lamb Way, and the yard behind the BT building to the other side, the character of the portable buildings is not out of place in the street scene. They do not, in terms of their character, cause harm to the Farnham Conservation Area.
9. In terms of appearance, from my impression of the site and the surrounding area, the portable buildings have a bearing in three aspects. First, the close context of the portable buildings, while it includes the car-park and the electricity substation in the corner of the site, it also includes the other structures in the yard such as the high-capacity-trolley store and bike store building, directly behind the smaller portable building. This is a brick building under a tiled roof with mortared verges, barge boards, extended eaves, fascia boards, and exposed gutters.
10. In such proximity to this more traditionally-detailed building, the dominant eaves, concealed rainwater system, raised base, and the carapace-like

- enclosure of the portable buildings clashes. Opposite the longer portable building, enclosing the other side of the passageway beside the site, runs a long, rough-hewn, stone wall with a brick coping, enclosing the yard of the St. John Ambulance Centre building. In the context of the textured surface of this wall, the smooth, plastisol-coated skin of the portable building appears at odds.
11. The second aspect in which the appearance of the portable buildings has a bearing is in the street scene. I appreciate that the northern side of Lion and Lamb Way is defined by the edge of the large, public car-park, however, with its enclosure of trees and low shrubs it has a fairly benign effect on the streetscape. I also acknowledge that the eastern end of the street is to some degree inanimate as a result of the hedge enclosure along part of the yard. However, much of the Sorting Office yard, including the portable buildings, is visible through its enclosing, chain-link fence.
 12. Even taking account of their displacement from Lion and Lamb Way, the portable buildings are conspicuous within the open yard. With their flat roofs, their pronounced eaves, their light tone and the lack of texture to their walls, the portable buildings appear distinctly at odds with the traditionally-detailed, foreground, vehicle-maintenance building with its pitched roof over brick walls.
 13. While the cuboid forms of the portable buildings reflect the St. John Ambulance Centre building across the passageway, their walls of coated, steel sheet and over-prominent eaves are incongruous against the brickwork texture of its walls and the simplicity of its parapet. While I acknowledge that the distance between the portable buildings and the buildings to the west along Lion and Lamb Way diminishes their impact, their materials and detailing reflect little of the refinement of the detailing, the grain or the materials of these older buildings. While I acknowledge the other buildings in the street scene, including the supermarket, the design, detailing and materials of the portable buildings appear out of place.
 14. However, I find the greatest harm is to the foreground setting of the CA, in particular in views from Long Garden Way and from Lion and Lamb Way which are on higher ground than its core. Views southwards and downwards from here cross the distinctive roofscape of the CA towards the meadows of the River Wey. Its roofscape of hipped, clay forms between tall chimney stacks upon red, brick buildings with white-painted window frames sets-off the hinterground of the castellated, stone tower and pinnacles of St. Andrew's Church; a remarkable architectural backdrop which reveals the historic development of Farnham and its topographical situation. In this distinctive setting of the CA, the portable buildings appear incompatible and obtrusive.
 15. I appreciate the appellant's point that it needs to maintain operational effectiveness in a site where space is at a premium, and that compared to more traditionally constructed buildings, the rapid erection of the portable buildings minimised the potential for disruption to its business. However, while I understand that alternative means of providing additional accommodation on-site were ruled out for reasons of space, temporary compounds, and construction programmes, there are no details demonstrating this. Nor am I convinced from the evidence that there is not scope on the site to provide an alternative proposal which does not cause the harm identified above.
 16. It appears to me that the Council has been pragmatic and practical in considering the public and economic benefits of granting planning permission

for a limited period for the portable buildings, to enable the operations to continue whilst a permanent solution, more appropriate to the location, is considered. In respect of the limited period permission, the Council has not contradicted its conclusions of harm in this case. The temporary harm from a time-limited development which would enable the continued operational effectiveness of the appellant's business, while providing the time to consider more appropriate solutions, is quite different from the harm that may endure without end under an unlimited permission.

17. The appellant considers that the portable buildings should be regarded as a replacement of the delivery-bike sheds, now demolished, which were harmful to the CA, whereas the portable buildings which have replaced them improve the area. While I have not had the opportunity to see the sheds, as they have been demolished, the photograph of them shows their walls to have some texture and their roofs to be pitched. They appear to have a smaller footprint, and to have a different arrangement in the yard compared to the previous structures. Moreover, despite their material of corrugated metal, the bike sheds appear to have been distinctly lower in height than the portable buildings the subject of this appeal. The effect of any harm on the appearance of the street scene and the CA would, I speculate, have been proportionately less than the harm I have identified above from this development. In this respect, the portable buildings do not preserve the appearance of the CA.
18. The appellant contends that the portable buildings cannot harm the significance of the CA as the Council considers this to lie in the historic street layout and route ways. However the Council's observation that it is the relationship between buildings and streets, or grain, and its depth which is unique, concurs with my own impressions of the CA. It is the gauge of this grain, which includes the spaces between and behind buildings, be they streets, passages, yards, or gardens, and which is reflected in the roofscape, and within the coherent setting of the market town which is significant.
19. For the reasons set out above, I conclude that the portable buildings harm the street scene and fail to preserve the CA in accordance with the requirements of section 72 of the Act, the special attention to which, the Courts have determined, I am required to give considerable importance and weight.
20. While saved Policies IC1 and IC4 of the Waverley Borough Local Plan 2002 support commercial development, this is subject to it complying with other policies in the Plan. Saved Policy HE8 seeks to preserve or enhance the character of conservation areas, to which, distinct from appearance, I have found the portable buildings cause no harm. However, saved Policy D1 seeks development that enhances the environment and protects conservation areas from damage, and saved Policy D4 seeks development that complements its surroundings including in terms of form and appearance, and whose design and materials respect the local distinctiveness of the area or otherwise make a positive contribution to the appearance of the area. Against these policies, the development is in conflict.
21. Nor does it meet the aims of paragraphs 58, 64 and 132 of the National Planning Policy Framework 2012 (the Framework). These advise that planning decisions should aim to ensure that developments respond to local character and history and reflect the identity of local surroundings and materials. They suggest that permission should be refused for development of poor design that

fails to take the opportunities available for improving the character and quality of an area, and that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

22. In the context of paragraphs 133 and 134 of the Framework I would, in relation to the CA as a whole, define the magnitude of the harm identified as less than substantial. Nevertheless, paragraph 134 still requires that any such harm be considered against any public benefits a scheme may bring. I accept that the operation of the Sorting Office may be considered a public benefit in these circumstances. However, it remains unclear from the evidence before me that there are no alternative, less harmful solutions that would preserve the appearance of the CA and provide the additional accommodation sought. Moreover, the Council has granted planning permission for a similar development for a limited period of three years. It is therefore not clear to me that the operational effectiveness would be materially compromised if the appeal were to be dismissed. The assertion of need or the public benefit of the proposal asserted by the appellant may only be afforded limited weight in my consideration, and in any event, would not outweigh the harm identified.

Other matters

23. I note the objection from the occupiers of Flat 1, 105 West Street about overlooking from the windows of the portable buildings into their bathroom. However, the windows concerned have been treated to obscure views out. Were I minded to allow the appeal, an appropriate planning condition to retain the obscured glazing could secure these neighbours' privacy.
24. The Council has indicated that to the south of the site, Nos 104, 105 and 106 West Street are listed buildings, and that it does not object to the proposal in terms of the impact on their setting. I have nevertheless undertaken my statutory duty pursuant to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed buildings or their setting, or any features of architectural or historic interest which they possess. In view of the location of the air-conditioning units and the portable buildings behind the Sorting Office as well as the single storey scale of the portable buildings and the distance between them and the listed buildings, I consider that the setting of the listed buildings would be unaffected and therefore preserved.

Conclusion

25. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Farnham Conservation Area as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended and considered the policies in the Development Plan and the Framework. I have also considered the matter of the operational effectiveness of the Sorting Office as a public and economic benefit, and the other matters raised in evidence. However, none of these matters outweigh the harm that I have identified to the street scene and to the appearance of the Farnham Conservation Area, and for these reasons the appeal is dismissed.

Patrick Whelan

INSPECTOR