The Planning Inspectorate

Appeal Decision

Site visit made on 3 October 2016

by Christa Masters MA (hons) MRTPI

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

Decision date: 18 November 2016

Appeal Ref: APP/R3650/W/16/3147893
Rosemead Cottage, River Lane, Wrecclesham, Farnham GU9 8UD

- 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 Mr & Mrs J Paton against the decision of Waverley Borough Council.
- The application Ref WA/2015/1738, dated 28 August 2015, was refused by notice dated 30 October 2015.
- The development proposed is erection of 3 new dwellings at land adjacent to Rosemead Cottage.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council submitted an update regarding the five year housing land supply position prior to the site visit taking place. The appellant has been given an opportunity to comment on this information. I do not consider the parties would be prejudiced by my taking this information into account and accordingly I have proceeded to determine the appeal on this basis.

3. The appellant has stated that planning approval was been granted in June 2016 for a single dwelling on the application site. I have not been provided with the plans which accompanied this proposal however I have had due regard to this matter in reaching my decision below.

4. A signed Unilateral Undertaking dated 10 October 2016 has been submitted. It contains clauses to secure payment to cover contributions towards the maintenance, improvement and operation of the Suitable Alternative Natural Green Space (SANG) at Farnham Park. The payment amounts to £12,039.90 and has been calculated having regard to the total number of dwellings to be provided. It also includes a payment identified as a Natural England Fee of £2,256 and also sets out the basis for this calculation.

5. The payments are in accordance with the Waverley Borough Council Thames Basin Heaths Special Protection Area (TBHSPA) Avoidance Strategy, 2009. I agree that this satisfactorily addresses the third reason for refusal. As such, the proposal complies with the tests identified by the National Planning Policy Framework (the Framework) as well as regulation 122 of the Community Infrastructure Levy Regulations 2010 (the CIL regulations). I have no further

information regarding the issue of pooled contributions under regulation 123 of the CIL regulations and I shall return to this matter as necessary.

Main Issue

6. The effect of the proposal on the character and appearance of the area.

Reasons

7. The appeal site comprises an open former paddock which is accessed from a driveway off River Lane serving Rosemead Cottage. The site is located in an elevated position. The site is located in an area of countryside beyond the Green Belt and is located outside of the defined settlement boundary. It is bounded by the railway embankment to the south, open countryside to the north west and a single detached dwelling known as Up Yonder to the south west. There is dense vegetation surrounding the site which gives the area a distinctly rural feel.

8. The site is located in an area of Great Landscape Value. In this regard, my attention has been drawn to policy C3 of the Waverley Local Plan (LP) 2002 which advises, amongst other things, at part (b) that Landscapes designated as Areas of Great Landscape Value on the Proposals Map make a valuable contribution to the quality of Waverley's countryside and the setting of the towns. Strong protection will be given to ensure the conservation and enhancement of the landscape character.

9. The appellant has provided a Landscape Visual Impact Assessment. I have reviewed the methodology used and both the inward local views and distant views selected and I am satisfied that this presents a comprehensive assessment of the likely visual impact of the proposal on the wider landscape area.

10. The appeal site is already well screened from wider vantage points given the existing dense vegetation in place. From what I saw on the site visit, my views of the appeal site were limited by this existing dense vegetation around the perimeter of the site. The appeal proposal would also include additional landscaping as set out on drawing 1257/MP-01.A. In my estimations, this additional landscaping which would include new mixed native hedges/shrubs and tree planting species would assist in providing an extension to the existing green corridor and would enhance the existing screen in place. As such, I do not consider that the proposal would have a harmful effect on views of the site from the wider landscape. There would therefore be no conflict with policy C3 outlined above.

11. Turning to consider the immediate character and appearance of the site, the proposal would see the introduction of 3 dwellings set within relatively even spaced plots. The proposal would also see the extension of the existing access road, as well as hard surfaced areas for the allocated parking associated with the dwellings. The two properties either side of the appeal site are known as Up Yonder and Rosemead Cottage. Both of these dwellings are set in extensive and spacious plots. The development as proposed would be in marked contrast to this established pattern and rural form of development in the area. It would as a result, cause harm to the visual character of the area, and would fail to respect the established form, scale and pattern of development.

12. Whilst I note that there is much denser development further into Wrecclesham, this is beyond the railway embankment to the south of the site which is clearly screened by an extensive belt of trees and in my view marks the edge of the settlement boundary. The extract of the proposals map provided by the Council confirms this to be the case.

13. The proposal would in my view have an urbanising impact on this area of countryside beyond the Green Belt. It would cause material harm to the character and appearance of the area as a result. As a result, I conclude that the proposal would therefore conflict with policies D1 and D4 of the LP. Policy D1 is a general policy which advises, amongst other things, that development will not be permitted where it causes (b) harm to the visual character and distinctiveness of a locality, particularly in respect of the design and scale of the development and its relationship to its surroundings. Policy D4 is a design and layout policy. It provides a criteria based approach which requires development to be (a) appropriate to the site in terms of its scale, height and form, (b) be of design which respects local distinctiveness in the area.

14. Reference has also been made to policy C2 which advises that in the countryside beyond the Green Belt, the countryside will be protected and building in the open countryside away from existing settlements will be strictly controlled. The Council have advised that they are seeking to rely on this policy only in the context of environmental protection. However, they also acknowledge that the proposal would not create isolated dwellings in the countryside. On balance, I am therefore satisfied that the proposal would not result in any conflict with policy C2 in this regard.

Other Matters

15. Concerns have been raised regarding the boundary between Rosemead Cottage and Up Yonder, the construction method to be used and location of local infrastructure. However, these are not matters which effect the conclusion I have reached on the main issue.

16. At the time the application was determined, the Council stated that they could not demonstrate a five year supply of housing sites. An update to this situation has been provided by the Council. This states that the Council can now demonstrate 5.3 years' worth of housing supply. The appellant disagrees with this and has provided additional evidence on this matter. The appellant has advised that the Council can demonstrate only 3.56 years supply of housing land.

17. The Council produced a Pre-Submission Local Plan which covers Strategic Policies and Sites in August 2016. The emerging Local Plan is therefore at an early stage. I am mindful that the PPG states that the examination of Local Plans is intended to ensure that up-to-date housing requirements and the deliverability of sites to meet a five year supply will have been thoroughly considered and examined prior to adoption, in a way that cannot be replicated in the course of determining individual applications and appeals.

18. Nevertheless, in the circumstances of this particular appeal, the proposal would clearly deliver a net additional two units to the supply of housing within the Borough. This is a positive factor in favour of the proposal. However, the proposal would result in material harm to the character and appearance of the area. Having in mind my reasons above in relation to the main issue, I

conclude that the proposal does not comply with the development plan taken as a whole and does not represent sustainable development in the terms of the NPPF. Accordingly, even if it were the case that the Council cannot demonstrate a 5 year supply of land for housing, there are no material considerations which would warrant a decision other than in accordance with the development plan.

Conclusion

19. For the reasons set out above, I conclude the appeal should be dismissed. As a result, it is not necessary for me to refer back to the main parties in relation to the implications of regulation 123 of the CIL regulations.

Christa Masters

INSPECTOR