
Appeal Decision

Site visit made on 24 November 2016

by AJ Steen BA (Hons) DipTP MRTPI

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

Decision date: 30 December 2016

Appeal Ref: APP/R3650/W/16/3155290

Alfold Farm, Loxwood Road, Alfold, Cranleigh GU6 8HP

- 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 Ryan Crumley against the decision of Waverley Borough Council.
 - The application Ref WA/2016/0683, dated 11 March 2016, was refused by notice dated 15 July 2016.
 - The development proposed is the change of use of existing brick built commercial stabling facility containing 1 dwelling to provide 7 additional dwellings and alterations to existing.
-

Decision

1. The appeal is allowed and planning permission is granted for the change of use of existing brick built commercial stabling facility containing 1 dwelling to provide 7 additional dwellings and alterations to existing at Alfold Farm, Loxwood Road, Alfold, Cranleigh GU6 8HP in accordance with the terms of the application, Ref WA/2016/0683, dated 11 March 2016, subject to the conditions contained in a schedule at the end of this decision.

Preliminary Matters

2. The original description of development referred to a previous planning application reference WA/2015/2246 for the change of use of existing equestrian building containing 1 dwelling to provide 10 additional dwellings and alterations to existing that was refused. I have removed reference to that from the description of the development, although have taken it into account insofar as it is relevant to my decision.
 3. I have also removed reference to the merits of the case that I shall consider further in my reasoning. I have removed reference to conversion in the description but retained change of use as reference to both is unnecessary and the Council's decision notice and the appeal form only refer to change of use.
 4. The Council refer to the set of plans marked revision D in their Officer Report and suggested conditions. However, I have only been provided with revision E. The appellant has confirmed that the plans marked revision E were submitted to and considered by the Council prior to determining the application and extracts from these plans are contained within the Officer Report. On that basis, I conclude that the plans marked revision E were considered by the Council and I have used these in consideration of the appeal.
-

5. I note that the draft Local Plan Part 1 (Strategic Policies and Sites) is currently being produced but I am not aware of the exact stage it has reached and the extent of outstanding objections or whether the policies concerned will be considered as consistent with the National Planning Policy Framework (the Framework). No relevant policies from that draft plan have been drawn to my attention. Consequently, I am only able to give it very limited weight in my decision.

Application for costs

6. An application for costs was made by Ryan Crumley against Waverley Borough Council. This application is the subject of a separate Decision.

Main Issue

7. The main issue is whether the proposal would be considered sustainable development with specific regard to a) its location within the countryside, b) the living conditions of prospective occupiers and c) the character and appearance of the rural area.

Reasons

8. The Framework sets out a presumption in favour of sustainable development, defined as development in accordance with the Framework as a whole. This includes approving development proposals that accord with the development plan, including the Waverley Borough Local Plan (LP). Sustainable development has three dimensions that must be considered together, being economic, social and environmental.
9. The building proposed to be converted into residential accommodation at Alfold Farm is located on the edge of the settlement of Alfold, adjacent to a number of other former farm buildings that are now converted to a variety of uses, including residential. Given the location of the proposed development outside the village, it is a relatively isolated location.
10. The Framework sets policies relating to housing in rural areas at paragraph 55 including that development within one village may support services in another village nearby. This confirms that isolated new homes should be avoided unless there are special circumstances, including the re-use of redundant buildings that lead to an enhancement to the immediate setting. Paragraph 64 of the Framework confirms that development of poor design should be refused if it fails to take the opportunities available for improving the character and quality of an area and the way it functions. Policy RD7 of the LP that relates to the conversion of buildings in rural areas is broadly in accordance with the Framework, in that it allows the re-use of buildings provided that it does not detract from the character and appearance of the area.
11. I understand that Alfold has limited public services that have been contracting with the closure of the shop and school and with little public transport provision. However, the change of use of this building to residential would support any remaining public services within this village, and would support services and facilities in surrounding settlements.
12. The existing building is a simple rectangular structure of utilitarian appearance, with limited openings and a shallow double pitched roof that reflects its present use and location in the countryside. The proposal would result in the building

being re-clad in timber above a brick plinth, with new windows and doors inserted into the walls and rooflights providing light into the proposed upper floor on the front pitched roof. The alterations proposed would provide more visual interest to the building and use materials more in keeping with surrounding development, such that the development would result in an improvement to the character and appearance of the building and enhance its setting.

13. The building would be converted into eight dwellings of two or three bedrooms that would be arranged across the building, such that the dwellings would be long and narrow properties with additional accommodation within the roof space. Modest gardens would be provided to the rear that would meet the needs of potential occupants for outside amenity space. Parking would be provided on the opposite side of the access track on an existing area of hardstanding used for parking by the present equestrian use.
14. I understand that the floor areas of the proposed dwellings are larger than those in surrounding buildings and larger than the average size of 2-3 bedroom dwellings. I accept that the depth of the dwellings results in an unusual layout, but the proposed dwellings would not be cramped and, as such, would provide adequate living conditions for occupiers of the proposed dwellings.
15. As a result, I conclude that the proposed alterations to re-use the building at Alfold Farm would support services and facilities in surrounding settlements, would improve the character and appearance of the existing building, enhance the immediate setting and provide adequate living conditions for prospective occupiers. As such, the proposed development would comprise sustainable development as defined by the Framework and accord with Policies RD7, D1 and D4 of the LP that allow the re-use of rural buildings provided that the resulting building would not detract from the character or appearance of the existing building and result in an enhancement to its immediate setting.

Other matters

16. The site is located a short distance from the Alfold Conservation Area, separated from it by part of the adjacent yard and converted buildings. Consequently, the proposed development would preserve the setting of the conservation area and would not affect the significance of this heritage asset.
17. The Council have confirmed that there is not a five year supply of deliverable housing sites within the district and, as such, relevant policies for the supply of housing should not be considered up to date in accordance with paragraph 49 of the Framework. However, I have concluded that the proposed development would comply with the Framework and relevant policies of the Local Plan, so I do not need to consider this matter further.

Conditions

18. I have imposed a condition specifying the relevant drawings as this provides certainty. A condition is necessary for samples of materials to be submitted prior to development beginning in order to ensure that they would maintain the character and appearance of the area. A condition is necessary to provide a construction method statement prior to any works commencing to ensure development would take place without undue disturbance to neighbouring occupiers and to maintain highway safety during the course of development.

19. A condition is necessary to ensure adequate parking is provided on site to protect highway safety. A condition is necessary to restrict external lighting to protect the character and appearance of the rural area and living conditions of neighbouring occupiers. Details of landscaping works, including details of means of enclosure, are necessary prior to development commencing in order to ensure the development would reflect the character and appearance of the area. In some cases I have amended the wording of conditions suggested by the Council in the interests of clarity.
20. I have not included conditions relating to sustainable drainage systems as the reasons for such systems is not clear and I note that Policy D12 of the LP referred to in the reasons for these conditions was not saved in the Secretary of State's Direction dated 25 September 2012. I have not included a condition relating to noise levels within the residential units as no evidence of noise generating uses within the vicinity has been provided that is likely to harm the living conditions of future occupiers and protection of the units from noise of their attached neighbours would be covered by separate regulations.
21. I have not included a condition removing permitted development rights as I do not consider it to be necessary. Such rights should be removed only in instances of specific and precise justification. I find no exceptional circumstances in this case such as to warrant the wholesale removal of these rights.
22. I note that conditions have been requested by a third party to restrict the continuation of a horse bedding business operating from the site and the arena adjacent to the building. The arena is outside the application site area such that a condition is unlikely to be enforceable and would not be necessary or reasonable given the use of the arena. Limited information has been provided regarding the horse bedding business, but I do not consider that it would be necessary or reasonable to restrict this existing use. A condition is requested relating to waste materials, but such a condition is unnecessary as the disposal of materials would be covered by separate regulations. As such, these conditions would not meet the relevant tests at paragraph 206 of the Framework.

Conclusion

23. For the above reasons and taking into account all other matters raised I conclude that the appeal should succeed.

AJ Steen

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 10517.L.A, 10517.S.C, 10518.1.A, 10518.2.A , 10518.3.E, 10518.4.E, 10518.5.E, 10518.6E.
- 3) No development shall take place until samples of all external facing materials have been submitted to and approved by the local planning authority in writing.

The relevant works shall be carried out in accordance with the approved sample details.

- 4) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) An indicative programme for carrying out of the works;
 - ii) The arrangements for public consultation and liaison during the construction works;
 - iii) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
 - iv) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
 - v) the parking of vehicles of site operatives and visitors;
 - vi) loading and unloading of plant and materials;
 - vii) storage of plant and materials used in constructing the development;
 - viii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - ix) wheel washing facilities;
 - x) measures to control the emission of dust and dirt during construction;
 - xi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 5) No dwelling shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the local planning authority for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for those purposes.
- 6) No floodlights or other forms of external lighting shall be installed at the development (either for the carrying out of the development permission or for use when the development is occupied).
- 7) No development shall take place until details of all proposed screen walls or fences, or other means of enclosure, have been submitted to and approved by the local planning authority in writing and such walls or fences or means of enclosure as may be approved by the local planning authority shall be erected within a period of one month from the date of first occupation of any part of the approved development, and thereafter be maintained.
- 8) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.