

Appeal Decision

Site visit made on 31 January 2017

by Kevin Gleeson BA MCD MRTPI

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

Decision date: 13th March 2017

Appeal Ref: APP/C3620/W/16/3163611

Old Wattlehurst Farm, Horsham Road, Capel, Surrey RH12 3SD

- 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 John Nye against the decision of Mole Valley District Council.
 - The application Ref MO/2016/1038/PLA, dated 29 June 2016, was refused by notice dated 19 October 2016.
 - The development proposed is erection of 1 No. detached dwelling with garage following demolition of existing non-agricultural barn and commercial stabling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal site is located at the end of a long access drive which serves a number of properties which were formerly farm buildings. These properties which include the Grade II listed Wattlehurst Farm House and a former barn converted to residential use sit in an elevated position on a small hill. To the south west of the appeal site are two adjoining agricultural buildings whilst a third barn is located to the south. The appeal site itself comprises two barns, adjacent to the access track.
 4. It is proposed to demolish the two barns and replace them with a single storey U-shaped dwelling. The replacement dwelling would result in a reduction in the footprint of development of approximately 11% and a total volume reduction of approximately 32%.
 5. The site is located within a rural area beyond the Metropolitan Green Belt. Policy CS1 of the Mole Valley District Council Core Strategy, 2009 (the Core Strategy) establishes a spatial strategy which has the effect of limiting development in the countryside. Policy ENV3 of the Mole Valley Local Plan, 2000 (the Local Plan) states that in the rural areas not covered by the Green Belt the countryside will be protected for its own sake and development adversely affecting its open character will not be permitted. It also states that other development appropriate to the countryside may be acceptable provided the relevant policies in the plan are satisfied. Moreover, all development in the
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countryside is required to be appropriate in terms of scale, form, impact and siting.

6. The appellant indicated that Policy ENV3 was out of date and therefore in the context of paragraph 14 of the National Planning Policy Framework (the Framework) the proposed development should be approved. I can see no conflict between the application of Local Plan Policy ENV3, Core Strategy Policy CS1 or the objective of the Framework to recognise the intrinsic character of the countryside and therefore paragraph 14 is not engaged.
7. The height of the existing barns varies between 3 metres and approximately 3.65 metres. The replacement dwelling would be in the order of 4.8 metres in height. The barns to the south west and south are considerably higher than those on the appeal site. However, with an increase in height of up to 1.8 metres I find that the proposed building would be materially higher than the existing structures and this overrides the reduction in volume and floor area. Accordingly the increase in height and the resultant increase in bulk and massing would adversely affect the openness of the area.
8. The Council argued that the layout of the proposed building would result in the reduction in footprint being generally concealed from public view resulting in an adverse impact on openness. However, although the existing footprint is more concentrated than that which is proposed I do not accept that the proposed layout would be harmful to openness because its spread would be within the context of the neighbouring structures. Furthermore the overall reduction in footprint of over 10% weighs in favour of the proposal.
9. Nevertheless I find that the proposed development would adversely affect the open character of the countryside contrary to Policy ENV3 of the Mole Valley Local Plan, Policy C1 of the Core Strategy and the requirement in the Framework to recognise the intrinsic character of the countryside.

Other Matters

10. The impact of the proposed development on the adjacent Grade II listed farmhouse was raised in representations. I note that the Council has identified that the outbuildings form part of the setting of the listed building and that this would be preserved through an appropriately worded planning condition. However, this issue has not led me to any different overall conclusion.
11. Concerns have been raised by interested parties including Capel Parish Council about the sustainability of the location, the effect on wildlife, parking and potential disturbance and the need for an affordable housing contribution among other matters. Based on the information before me these would not constitute reasons to dismiss the appeal.
12. The appellant states that the proposed development would meet the objective of paragraph 47 of the Framework to boost significantly the supply of housing. There is no evidence that the Council is unable to deliver a five year supply of housing which would lead to paragraph 14 of the Framework being engaged and in any event the proposal would have a negligible effect on housing supply. Accordingly I find that the proposed development would be in conflict with the development plan and as there are no material considerations to indicate otherwise the development should be refused.

Conclusion

13. For the reasons set out above, the appeal is dismissed.

Kevin Gleeson

INSPECTOR