
Appeal Decision

Site visit made on 12 June 2017

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: 6 July 2017

Appeal Ref: APP/R3650/W/17/3171609

Mayland, Plough Lane, Ewhurst GU6 7SG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs K Boyd against the decision of Waverley Borough Council.
 - The application Ref WA/2016/1934, dated 27 September 2016, was refused by notice dated 16 January 2017.
 - The development proposed is two detached dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for outline planning permission with all matters reserved for future consideration. Accordingly, I have considered the appeal on the same basis and assessed the drawings as merely illustrative insofar as they refer to the reserved matters.
3. The Council has made reference to its emerging Local Plan. However, while it has been submitted for Examination, it has not yet been tested and its policies may be subject to change. I therefore attach little weight to these policies.

Main Issues

4. The main issues are:
 - whether or not the proposal would comprise sustainable development, having particular regard to the site's location and its relationship to local services and facilities; and,
 - the effect of the development on the character of the area, including the Area of Great Landscape Value.

Reasons

Relationship to services and facilities and whether sustainable development

5. The appeal site stands between two clusters of development close to Ewhurst Green which is located to the south of the settlement of Ewhurst. Given the proximity of the houses clustered along Plough Lane and the houses facing The Green, the proposal would not be physically isolated from other development.
 6. However, the Council refers to paragraph 55 of the National Planning Policy Framework which states that to promote sustainable development in rural
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areas, housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the countryside should be avoided unless there are special circumstances.

7. The closest settlement to the site is Ewhurst, a lower order settlement which is described as having a shop, a primary school and a church, and whose edge is around half a kilometre from the appeal site. The nearest secondary school and doctors' surgery are located in Cranleigh, around 3km distant. However, these settlements are accessed along Plough Lane which is narrow, which lacks streetlights and footways and is not easily accessible, particularly for people with children, the elderly, or the vulnerable. I find that these circumstances are likely to mean that the majority of journeys by occupiers of the new houses would, for convenience reasons as well, predominantly be by the private car contrary to the core planning principle of actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling.
8. The appellant points to allocations within the emerging Local Plan indicating Ewhurst for new dwellings, however, these would be built within the settlement boundary whereas the appeal site stands outside the boundary, in the countryside.
9. No evidence has been submitted that the dwellings would meet the special circumstances set out in paragraph 55 of the Framework. I therefore conclude that the proposed houses would result in an isolated form of development, remote from the services and facilities in Ewhurst and Cranleigh. The future occupiers of the proposed houses would have a high reliance on the use of a private car. This would result in the proposal being in conflict with the social and environmental roles of sustainability as set out in paragraph 7 of the Framework. As the three dimensions of sustainable development are mutually dependent, I conclude on this issue that the proposal would not comprise sustainable development, having particular regard to the site's location and its relationship to local services and facilities.

The character of the area including the Area of Great Landscape Value

10. The undeveloped nature of the appeal site which lies in an Area of Great Landscape Value separates the ribbon of houses along Plough Lane from the clusters of houses around The Green. It also reflects the rural character of the agricultural fields which border the north side of the Lane. While what appear to be the back gardens of the houses which border the east side of The Green run parallel to the southern boundary of the site, the gardens are extensive and their open nature continues the rural character established to their north, which includes the appeal site.
11. The proposed development would join the ribbon of houses on Plough Lane which are presently clearly distinguishable as a distinct cluster, into the looser stand of houses facing The Green. This consolidation of isolated clusters of development would reduce the open, undeveloped character of the landscape of the area and urbanise this part of the countryside.
12. The Council refers to Policy C2 of the Local Plan 2002 (LP), which seeks in principle to protect the countryside from development and is therefore inconsistent with the Framework. I regard it as an out of date policy which, in accordance with the provisions of paragraphs 211 and 215 of the Framework, limits the weight I may attribute to it.

13. Notwithstanding this, Policy C3 to which the Council also refers, seeks to protect Areas of Great Landscape Value to ensure the conservation and enhancement of their landscape character. The introduction of built form on this site and its consolidation of presently disparate clusters of development would undermine the rural and open nature of the AGLV, an intrinsic part of its landscape character.
14. I appreciate that the designation of the AGLV includes the houses along Plough Lane, but it also includes the appeal site. While part of the AGLV contains land occupied by houses, this does not justify the development of this land which does not contain houses. I have taken into account the reference to a consent for a detached annexe to a neighbouring dwelling and its scale; however, this would be ancillary development rather than the provision of two, independent dwellings with separate curtilages as in this case.
15. I conclude on this issue that the proposal would cause unacceptable harm to the character of the area including the Area of Great Landscape Value. It would be in conflict with LP Policy C3, and at odds with one of the core planning principles of the Framework which says that planning should recognise the intrinsic character and beauty of the countryside.

Other Matters

16. The views of local residents, and Ewhurst and Ellen's Green Parish Council have been taken into consideration, and I have already dealt with what I regard as the main planning issues. I note the concern about the potential impact on trees, wildlife, and overlooking of neighbours. However, on the evidence before me, these concerns could be properly addressed at the reserved matters stage.
17. I note the appellant's summary of planning applications in Plough Lane since 1997; however, these appear to concern for the most part extensions and alterations rather than the development of new houses. Whilst I appreciate that planning policies have changed since the appeal¹ dismissed on this site in 1989, my assessment of the site and its surroundings is not dissimilar to that of the Inspector in the 1989 case.
18. The Wicket Gate, a Grade II Listed Building stands to the west of the site. While the Council does not object to the proposal in terms of the impact on its 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 building or its setting, or any features of architectural or historic interest which it possesses.
19. I have borne in mind that the appeal concerns an outline application with all matters reserved. However, in view of the substantial distance between the sites and the density of the planting behind the Wicket Gate, as well as the control the Council would retain at reserved matters stage, there is no evidence that the setting of the listed building would be affected by the proposal. It would therefore be preserved.
20. The site is adjacent to the Ewhurst Green Conservation Area. The Council raises no objection in this regard, and considering the control it would have at

¹ ¹ Appeal Ref T/APP/R3650/89/121224/P7

the reserved matters stage, I can identify no harm from this outline proposal to its setting or the views of it or within it. The proposal would be in accordance with LP policies HE5 and HE8 in both these regards, and with paragraph 132 of the Framework which makes clear that great weight be given to the conservation of designated heritage assets, and to their setting.

21. The Council's statement refers to its housing land supply position at 1 April 2017 which indicates, in its response to the Local Plan Examining Inspector's Issues and Matters document, that it has 5.84 years of supply in terms of paragraph 47 of the Framework. I appreciate the appellant's point that sites may encounter difficulty in development and that this position may change. However, even if I were to conclude there is a shortfall in 5-year supply and that relevant policies for the supply of housing should not be considered up-to-date, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

Planning Balance

22. The development would provide a modest benefit of two additional houses to local housing supply, and it would contribute some social and economic benefits, which weighs in its favour. However, I have found that it would cause unacceptable harm to the character of the area and the Area of Great Landscape Value and its location would be remote from services and facilities. For these reasons the proposal would not comprise sustainable development for which the Framework indicates there is a presumption in favour, and the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the development.

Conclusion

23. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR