

Appeal Decision

Site visit made on 3 July 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 18 July 2017

Appeal Ref: APP/R3650/D/17/3175403

Holt Farm, Old Lane, Dockenfield, Farnham GU10 4HG

- 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 David Sellars against the decision of Waverley Borough Council.
 - The application, Ref. WA/2016/2459, dated 10 October 2016, was refused by notice dated 15 February 2017.
 - The development proposed is a two storey side extension and the extension of the existing conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and the extension of the existing conservatory at Holt Farm, Old Lane, Dockenfield, Farnham in accordance with the terms of the application, Ref. WA/2016/2459, dated 10 October 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) The development shall be carried out in accordance with the following approved plans: Drawing Nos: 125/07/1; 125/07/2; 125/207/203; 125/207/204; 125/207/205;
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) No works of site clearance, demolition or construction shall take place in pursuance of this permission unless and until a European Protected Species (EPS) Licence has first been granted in accordance with the Conservation of Habitats and Species Regulations 2010, and a copy thereof has been produced to the Local Planning Authority.

Main Issue

2. The second refusal reason on the Council's Notice of Refusal refers to insufficient information being provided in respect of danger to a protected species (bats) as a result of the development. However, following the subsequent submission of the relevant reports in March and June 2017, I am satisfied that this matter has the potential to be addressed by the imposition of a condition if the appeal is allowed and permission granted.
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3. I therefore consider that the main issue in the appeal relates to the first reason for refusal and is the effect of the proposed alterations and additions on the character and appearance of the existing dwelling and thereby the effect on countryside designated as an Area of Great Landscape Value (AGLV).

Reasons

4. Within the context of the main issue the Planning Officer's report identifies the planning history of Holt Farm as a material consideration, in particular a two storey extension plus single storey extension under reference WA/2008/0160 and an L shaped conservatory under reference WA/2008/1684. The report explains that the current proposal is for a smaller two storey extension and an altered size and form of the conservatory.
5. A further change has occurred since 2008 in the planning policy context for development at the site. Although Policies RD2, C2 and C3 of the Waverley Borough Local Plan 2002 were 'saved' in 2007 and continue to apply, the weight that should be attributed to them pending the emergence and adoption of the Waverley Draft Local Plan Part 1 is significantly reduced by any inconsistency with policies that have a similar objective in the National Planning Policy Framework 2012 ('the Framework'). There is a measure of agreement between on the parties on this point, mainly in relation to Policy RD2.
6. Taking this into account, I am satisfied that the arithmetic basis for the calculation of cumulative additional floorspace at Holt Farm, which is the focus of Policy RD2 (a) but not an approach favoured by the Framework for development outside the Green Belt, should not be a deciding factor in this appeal. Instead, it is more a matter of the requirements in (b) and (c) as regards the effect on the existing (but not the original) dwelling's character and appearance, including its bulk and setting, and whether the proposed changes would be more assertive in the rural landscape. Such an assessment falls comfortably within the general provisions of emerging Policy RE1 of the proposed Local Plan Part 1.
7. Insofar as it is relevant, Policy C2 defers to Policy RD2, whilst Policy C3's objective of the protection of the landscape character of the AGLV is carried forward in Policy RE3 of the new Local Plan Part 1, albeit that the eventual status of this part of the countryside awaits a review of the Surrey Hills AONB boundaries. However, this review and the continuing need for overall protection of the countryside notwithstanding, I consider that the appellant is correct to draw attention to the omission of any reference to AGLVs in paragraph 115 of the Framework as being, in general terms, favourable to his case.
8. Turning to the specifics of the appeal scheme, and putting aside the percentage increases in floor area for the reasons already explained, the Planning Officer's report includes a general criticism that through changes to such matters as 'scale, height, form, bulk, mass and appearance' the extensions would harm the existing dwelling's character and make it more intrusive in the landscape, to the latter's detriment. However, I note that the only point of detail referred to in support of these comments is that because the two storey side extension would not be of a subordinate size or scale, the scale and character of the existing property would no longer be discernible.

9. In my view this is already the case as a result of the extensions already added to the original 'very modest farmhouse', to use the Council's own description. Furthermore, in itself, I do not consider that the proposed 3.5m width and 7m depth to create just two additional rooms (a family room on the ground floor and an en suite bedroom on the first floor) to be an unreasonably large addition to the existing house. As regards design, in relation to the existing, the extended front elevation would be balanced and proportionate, with an appropriate degree of symmetry and matching detail.
10. The rear elevation the first floor gable would have a similar form and pitch to the existing rear gable and rear facing dormer, and whilst the extensive and large pane glazing would adopt a more contemporary approach and contrast with the existing small paned fenestration I consider that this variation is actually preferable in design terms.
11. The conservatory would wrap around two sides of the existing gable and I consider that with this footprint and a ridge height not exceeding 2.9m it would be subservient to the existing building. Its design would be plain and simple rather than elaborate and it is perhaps worth pointing out that because of the limitations of a two dimensional plan the conservatory appears larger in relation to the building on the rear and side elevations of Drawing No. 125/207/204 than it will on construction.
12. In respect of both the side extension and the conservatory the appellant also has a fall back position, in respect of a Lawful Development Certificate and permitted development respectively, that would enable development to increase the size of the existing building with an effect on its existing character. The change would be more limited than in the appeal scheme but this factor is nonetheless a consideration that carries weight in my Decision.
13. When taken together with the stand alone nature of the existing building and in a position where it can hardly be seen from vantage points in the public realm, my conclusion on the main issue is that the proposed extensions would not result in harm to the character and appearance of the existing dwelling. Nor would the building be more intrusive in the landscape to an extent that would cause actual harm to the countryside.
14. In these circumstances there would not be any unacceptable conflict with Policies RD2, C2 and C3 of the Waverley Borough Local Plan 2002; Policies RE1 and RE3 of the Draft Waverley Local Plan Part 1, and the relevant parts of paragraphs 17 and 109 of the Framework.
15. The appeal is therefore allowed subject to conditions. A condition requiring the development to be carried out in accordance with the approved plans is needed for the avoidance of doubt. A condition requiring matching external materials will safeguard the appearance of the building and its setting in the rural landscape. Finally, as I have already mentioned, the condition requiring the appellant or any subsequent owner to obtain an EPS Licence will ensure that a protected species is not endangered as a result of the proposed development.

Martin Andrews

Inspector