The Planning Inspectorate

Appeal Decision

Site visit made on 24 July 2019

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2019

Appeal Ref: APP/R3650/W/18/3212580
15 Crondall Lane, Farnham GU9 7BG

- 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 Philly Hook against the decision of Waverley Borough Council.
- The application Ref WA/2018/0271, dated 16 January 2018, was refused by notice dated 29 March 2018.
- The development proposed is a detached dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. These are the effect of the proposed development on a) the character and appearance of the area and; b) the Thames Basin Heaths Special Protection Area (TBHSPA).

Reasons

Character and Appearance

3. The appeal scheme seeks outline planning permission with means of access to be considered on land which currently forms the rear garden to 15 Crondall Lane. The appeal site is a flat and rectangular land parcel currently covered by grass, a small outbuilding and allotment area. It is enclosed by a mix of close boarded timber fencing and mature hedges. The area is characterised by single tier primary residential development set back from and facing its respective road frontage. Gardens are long and narrow, extending in a broadly linear fashion to the rear. Off street parking is provided either on the frontage or via rear accesses. In the case of the dwellings that front Crondall Lane, these accesses open onto Parfitts Close.

4. Whilst in outline form, the appeal scheme would locate a detached dwelling on the site with access from Parfitts Close where it seems it would have its street frontage. Parfitts Close, as far as this side is concerned, mainly hosts the rear garden boundaries of dwellings that face Crondall Lane. The insertion of an 'active' frontage therefore would appear somewhat anomalous. In addition, the sub division of the plot would truncate the garden to No 15, making both it and the one afforded to the new dwelling appear overly small in the wider context. Whilst accessed from a different street to the existing dwelling, the

new one would still be readable, in character terms, as being formed from sub dividing the existing garden and thus, in terms of the tiering of development, introduce a back land form which would be against the general grain of development in the area.

5. The scale or design of the dwelling is not fixed but I would find it hard to reconcile an argument to suggest that one would not have a visual effect, particularly from Parfitts Close and given the breech there would have to be in the substantial hedge to allow for access. This would, to my mind, exacerbate the aforementioned impacts.

6. Taking the above into account, the proposed development would harm the character and appearance of the area. Such that it would conflict with Policy TD1 of the Local Plan[1], Policies D1 and D4 of the 2002 Local Plan[2] and Policies FNP1 and FNP15 of the NP[3]. Along with section 12 of the Framework[4], and amongst other things, these policies seek to ensure that new development is of a high quality and contextually appropriate design and appearance, the character of the borough and visual distinctiveness of the locality is protected.

The Thames Basin Heaths Special Protection Area (TBHSPA)

7. The Council considers that the proposed development has the potential, in combination with other projects, to affect the integrity of the TBHSPA as a result of increased recreational pressures that would arise out of the increase in the local population. In this case the net addition of one dwelling and new occupiers using the SPA. In order to mitigate this impact, the proposed development would be required to contribute towards Suitable Alternative Natural Green Space (SANG). Having regard to the evidence in respect of this main issue, I have no reason to disagree.

8. Whilst setting out a commitment to enter into a planning obligation to provide a payment towards SANG, the appellant has not presented me with a completed one as part of the appeal proposals. In the absence of any mitigation whatsoever, I cannot be certain that the likely harm arising out of the appeal scheme could be acceptably reduced. The appeal scheme would therefore cause unacceptable harm to the integrity of the TBHSPA.

9. Subsequently, and in regard to this main issue, there would be conflict with Policy NRM6 of the South East Plan[5] and Policies NE1 and NE3 of the Local Plan. Amongst other things, these policies set out that new development should be required to put adequate measures in place to avoid or mitigate harm towards the TBHSPA and more generally protect the integrity of designated areas. There would also be conflict with section 15 of the Framework which sets out, amongst other things, protection for and the appropriate mitigation against harm to areas of special protection, conservation and those of special scientific interest.

10. I have not conducted a detailed appropriate assessment as required under the Habitat Regulations or requested the appellant submit a completed planning

[1] Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018
[2] Waverley Borough Local Plan 2002
[3] Farnham Neighbourhood Plan 2017
[4] The National Planning Policy Framework 2019
[5] Regional Spatial Strategy for the South East of England: The South East Plan 2009

obligation given my findings on the first main issue since harm and development plan conflict arising therefrom would not be reduced in their light.

Other Matters

11. There is an outbuilding in the rear garden, a feature which is repeated in neighbouring gardens. In some cases, the scale of these buildings is substantial. Be this as it may, the character and functioning effect of an ancillary outbuilding is fundamentally different to that of a new dwelling which would have its own access, curtilage and distinct visual identity. There are other vehicular accesses off Parfitts Close into the gardens of Crondall Lane dwellings. Indeed, a certificate of lawful development has been acquired in respect of the creation of such an access to No 15[6]. One could therefore legitimately argue that features of this type are not uncommon. However, both existing accesses and the one approved for No 15 would still be into the elongated single plots of Crondall Lane dwellings, not to a smaller independent one fronting Parfitts Close. I am not therefore minded to allow the appeal in this light.

12. The evidence also alludes to a lawful development certificate having been granted for the siting of a caravan in the rear garden to No 15[7]. Having seen the plans this caravan is far from insignificant in scale terms. This being the case however it would still be so sited and used ancillary to the host dwelling. Effectively the same as a substantial outbuilding. I would therefore share a colleague's findings previously on the appeal site that the caravan would neither appear nor function as a separate dwelling. It would therefore not lead me to allowing the appeal.

Conclusion

13. I have had regard to other matters that have been raised which includes representations made by local residents but it is for the reasons I have explained above that the appeal is dismissed.

John Morrison

INSPECTOR

[6] Local Planning Authority reference WA/2016/1064
[7] Local Planning Authority reference WA/2016/1592 & WA/2016/1066