
Appeal Decision

Site visit made on 12 August 2019

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2019

Appeal Ref: APP/R3650/W/19/3230197

Frys Cross Farm, Knights Lane, Dunsfold, Godalming GU8 4NY

- 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 Peter Cole against the decision of Waverley Borough Council.
 - The application Ref WA/2019/0504, dated 25 February 2019, was refused by notice dated 28 May 2019.
 - The development proposed is erection of a holiday let as a farm diversification project.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) The effect of the development on the ecological habitat of the Ancient Woodland and Site of Nature Conservation Importance;
 - b) Whether the site is a sustainable location for the proposed development; and,
 - c) The effect of the development on the character and appearance of the countryside.

Reasons

Ecological habitat

3. The appeal site is part of an arable field in the open countryside to the south of Godalming. The field is enclosed on three sides by woodland that comprises the Rickhurst Rews Site of Nature Conservation Importance (SNCI). The SNCI has also been identified by Natural England as Ancient Woodland. Paragraph 175 of the National Planning Policy Framework (the Framework) advises that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
4. The proposed holiday cabin would be located approximately 18 metres from the woodland edge, on the eastern side of the arable field. The cabin would therefore be outside the 15-metre buffer zone. Nevertheless, the proposed holiday cabin would still be located close to an important ecological site. The application documents do not include any proposals to demonstrate how the

- buffer zone will be protected from the activities associated with the use of the cabin, and there is no indication that land within the buffer will be maintained as semi-natural habitat.
5. The use of the cabin for holiday purposes would increase the level of activity close to the woodland edge. The land around the cabin would likely be used for recreational purposes, including barbecues and informal ball games. There is the possibility that pets could be brought to the site. Although the Ancient Woodland is contained by a stockproof fence, this may not prevent small dogs from entering the SNCI. Holidaymakers returning to the cabin after dark would need lighting to guide them across the field. It is also likely that external lighting would be provided on and around the cabin to allow recreational activities to continue into the evening.
 6. The submitted plans show an access to the cabin via Alfold Road. The associated track would be within the 15-metre buffer zone. I saw that some significant works would be necessary to enable the use of this access, and that these works could cause physical damage to the Ancient Woodland through soil compaction and the removal of vegetation. The appellant advises, however, that any cars associated with the use would have to park at Frys Farm and walk/cycle to the cabin from there. It is unclear, however, how this would be enforced.
 7. In view of the distance from the farm to the cabin, it is likely that holidaymakers would be inclined to drive as close as possible to the cabin, particularly when arriving with luggage, or after dark, when the long walk from the farm to the cabin would be hazardous. I saw that the terrain means that many types of vehicle would be able to gain access to the site of the cabin, particularly in times of dry weather, when the ground is firm. I appreciate that the field edge is already used by agricultural vehicles, but this is likely to be infrequent and largely during the day. Activity associated with the cabin could result in a significant increase in vehicle movements near to the SNCI, particularly in the hours of darkness.
 8. No ecological evidence has been submitted with the application to assess the likely impacts of the increased activity associated with the holiday cabin on the SNCI and Ancient Woodland habitat, or on any protected species that it supports. Paragraph 99 of Circular 06/2005¹ states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted. In the absence of an ecological assessment of the potential impact of the development, and any mitigating measures that may be required, I cannot confidently conclude that the proposal would not result in deterioration of the Ancient Woodland and SNCI habitat.
 9. I therefore conclude that the proposal would result in potential harm to the ecological habitat of the Ancient Woodland and SNCI. The development would therefore be contrary to Policy NE1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) (the Local Plan), which seeks to conserve and enhance biodiversity, and to ensure that development proposals demonstrate that there will be no adverse impact on the nature conservation interest of locally designated sites.

¹ <https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005>

Sustainability of location

10. The appeal site lies in an isolated countryside location well away from any settlements where services and facilities are located. The village of Dunsfold lies approximately 1km to the north but, apart from a village shop and a pub, there are few services available there. Chiddingfold offers a slightly larger range of facilities but lies approximately 5km away. Both of these settlements are reached via unlit country lanes with no footways. The nearest settlement with a full range of services is Godalming, which lies about 9km to the north. I have not been provided with any evidence of the nearest bus stop, but it is unlikely that there is a regular service within easy reach of the site. Occupants of the holiday cabin would therefore be highly dependant on private motor vehicles to reach the site, and to obtain services for the duration of their stay.
11. Paragraph 84 of the Framework recognises that sites to meet local business needs in rural areas may have to be found beyond existing settlements, and in locations that are not well served by public transport. However, it goes on to say that in these circumstances it will be important to ensure that development exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). Although it is suggested that the accommodation will be primarily targeted at cyclists and walkers, the submission does not include proposals to make the site more accessible to these modes of transport.
12. Saved Policy RD8 of the Waverley Borough Local Plan 2002 says that new uses on agricultural holdings will be permitted where there is no conflict with the principal agricultural use, and they are accompanied by supporting information e.g. a Farm Plan. Whilst the Design and Access Statement includes brief information on the overall farming operation, there is little evidence to demonstrate that this proposal will help to maintain the viability of the holding or contribute significantly to the local economy.
13. I am mindful that it is intended that the cabin will be "off-grid" and therefore sustainable in terms of energy usage. However, in the absence of any proposals to improve the accessibility of the site to sustainable travel options, or clear evidence to demonstrate that the proposal would contribute significantly to the viability of the holding and the local economy, I conclude that the site is not a sustainable location for a holiday cabin. The Council has referred to Policy SP2 of the Local Plan in its reason for refusal on this issue. However, I find that there is no direct conflict with this Policy. The proposal would, however, be contrary to Policy ST1 of the Local Plan, which seeks to ensure that development is located where opportunities for sustainable transport modes can be maximised, and where measures to encourage non-car use are included.

Character and appearance

14. The appeal site lies in open countryside that is designated as an Area of Great Landscape Value (AGLV) and Countryside beyond the Green Belt. The site is part of a large, level arable field, which is framed by woodland on three sides. The site lies some distance from the buildings at the heart of the farm and there are no other buildings in the field. The appeal site is therefore largely unaffected by built development.

15. The proposed cabin would be set away from the woodland in the open field. It would have no relationship with any physical features on the ground and would not be associated with any other buildings. It would therefore be an entirely isolated building in an otherwise open rural setting. Although it would be of timber construction it would, nevertheless, appear as an incongruous intrusion into the undeveloped agricultural field. This impact would be increased by the inevitable paraphernalia that would be likely to arise as a result of its use as a holiday cabin, such as chairs, tables, clothes lines, etc.
16. Whilst the building would not be prominent from many public viewpoints, the openness of the site means that it would be visible from some distance from within the holding and the surrounding woodland. From these vantage points it would appear as an isolated building having no relationship with the rural character of the site and its surroundings. I therefore find that it would harm the character and appearance of the countryside. The proposal would therefore be contrary to Policies RE1 and RE3 of the Local Plan, which seek to safeguard the intrinsic character and beauty of the countryside and respect the distinctive character of the AGLV.

Conclusion

17. For the reasons given above, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR