



Appeal Decision

Site visit made on 28 January 2020

by Jonathon Parsons MSc BSc (Hons) DipTP (Cert Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2020

Appeal Ref: APP/R3650/W/19/3240748

Land to the rear of 44 & 46 Little Green Lane, Farnham GU9 8TB

- 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 S Coles against the decision of Waverley Borough Council.
 - The application Ref WA/2019/0371, dated 22 December 2018, was refused by notice dated 25 July 2019.
 - The development proposed is the construction of a new 4 bedroom dwelling within the rear gardens of 44 and 46 Little Green Lane, Farnham.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For the sake of accuracy, the Council's description of the location of the development is used rather than that used in the application form.
3. A Unilateral Undertaking (UU) dated 7 February 2020 contains an obligation setting out contributions towards Strategic Access Management Monitoring (SAMM) and Suitable Alternative Natural Green Space (SANGS) mitigation measures in respect of the Thames Basin Heaths Special Protection Area. This obligation will be commented upon in my decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site comprises the garden and garaging/parking land to the rear of 44 and 46 Little Green Lane. The southern boundary of the appeal site, along with the flank of the dwelling at No 44, are adjacent to Greenhill Close. Both the appeal site, from its boundary with Greenhill Close, and Little Green Lane slope downhill towards the town centre.
6. Little Green Lane comprises mainly a linear row of frontage dwellings, either side of Greenhill Close, on the appeal side of this road. Here, the dwellings generally have long rear gardens. Behind and to the side of the appeal site, and adjacent properties to the north, there is a row of semi detached dwellings, known as Wells Cottages, with lockup garages and surface parking areas in front, facing onto Greenhill Close. On the opposite side of Greenhill Close,

- there is a perpendicular row of bungalows and garages, either side of an access road.
7. Consequently, there is variation in dwelling form and layout. Nevertheless, the long rear gardens of Little Green Lane are extensive in area and therefore, a dominant feature and give the area a spaciousness and landscaped nature. Together with the frontage low-level garages and hard standings of Wells Cottages, they also result in a sense of openness around the appeal site. The bungalows and garages on the opposite side of Greenhill Close further contribute to this openness by reason of their single storey construction. Such landscaped, spacious and open qualities are attractive, providing a visual relief from the denser residential development at Thurbans Road, further along Greenhill Close.
 8. The front of the new dwelling would be no further forward than the existing dwelling at No 44 where it flanks onto Greenhill Close. However, it would stand out by reason of its size and prominence in a landscaped, spacious and open context. There would be deep and extensive flank elevations visible, despite its split ground level design, in both directions along Greenhill Close. This would appear incongruous in a stretch of Greenhill Close where no dwellings front onto the road and, where there is development, it is low-level and small-scale in nature. The dwelling would also be sited on a plot noticeably smaller than those existing in the vicinity of the appeal site on Little Green Lane. As a result, the development would be markedly at odds with the prevailing pattern of development in the area and would be harmful to the visual amenity of the area.
 9. The Farnham Design Statement (2010) states new development should respect the pattern of existing development in terms of scale and materials. The new dwelling would be articulated to pick up design detailing of properties along Little Green Lane and Greenhill Close, and would be constructed with a split level to accommodate the slope in the site. However, this would not address the adverse impact on the character and appearance of the area arising from scale and siting.
 10. There are examples of backland development along Little Green Lane but these developments are not nearby, with most on the side of Little Green Lane opposite Nos 44 and 46. At 39 Little Green Lane, a backland sited dwelling was allowed on appeal on the same side of the road as the appeal site. However, this development is some distance to the south, some 10 properties away. Furthermore, it does not have the same exposed position on the roadside as the appeal development would have. Consequently, there are material differences between these developments and that before me. In any case, every appeal has to be considered on its particular planning merits.
 11. For all these reasons, the development would not be of a high quality design and would harm the distinctive character and appearance of the area. Accordingly, the proposal would conflict with policy TD1 of the Waverley Borough Local Plan (LP) (Part 1), policy FNP1 of the Farnham Neighbourhood Plan (NP) 2017 and policies D1 and D4 of the Waverley Borough Local Plan (LP) 2002.

Other matters

12. There is a dispute as to whether the Council has a five year deliverable supply of housing land (5YHLS). However, the National Planning Policy Framework (the Framework) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. It indicates design is a key aspect of sustainable development. As indicated, the unattractive and unsympathetic nature of the development would harm the character and appearance of the area, and this would be significant, permanent and long-term. Consequently, there are strong reasons why the site would not be suitable for housing. The economic and social benefits of one dwelling would not be great with the contribution of one dwelling to supply small. The Framework states good design is a key aspect of sustainable development. Therefore, even in the absence of 5YHLS, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusion

13. There would be harm to the character and appearance of the area in conflict with the policies of LP Part 1, NP and LP, identified above, and the development plan taken as a whole. Material considerations would not be of sufficient weight or importance to determine that the decision should be taken otherwise than in accordance with the development plan and therefore planning permission should be refused.
14. As there is a substantive reason to dismiss this appeal, there is no requirement for me to consider whether the obligation meets the statutory tests that are detailed in the Framework or undertake an Appropriate Assessment under the relevant Habitat Regulations.
15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR