



Appeal Decision

Site Visit made on 26 August 2021

by Rory MacLeod BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st October 2021

Appeal Ref: APP/R3650/W/20/3265217

The Old Dairy, Somersbury Lane, Ewhurst, Surrey GU6 7SR

- 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 Alex Hinds against the decision of Waverley Borough Council.
 - The application Ref WA/2020/1122, dated 16 June 2020, was refused by notice dated 2 December 2020.
 - The development proposed is demolition of existing buildings and the erection of one family dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated in July 2021. Appeal submissions have referred to the 2019 version of the Framework, but I have noted changes made to the content and paragraph numbers.

Main Issues

3. The main issues are (a) the effect of the development on the rural character and landscape of the area (b) whether the location of the proposal would result in an unsustainable form of development and (c) the impact on highway safety in relation to visibility at the site access.

Reasons

Rural character

4. The appeal relates to land to the rear of Home Farm Cottage with a vehicular access to its southern side linking to Somersbury Lane. Two single storey buildings with an area of hardstanding between them would be replaced by an L-shaped dwelling in approximately the same position. The current buildings appear to have been disused for a considerable time. From the information before me, the lawful use of the land and buildings would appear to be agricultural. The site would not therefore constitute previously developed land.
5. The site is located within the countryside beyond the Green Belt and within an Area of Great Landscape Value (AGLV). The surrounding area is mixed in character. To the east is open countryside whilst to the west there are scattered dwellings fronting Somersbury Lane and the substantial grounds of Somersbury Manor to the north of these. To the south is the Oakwood Business Park with a mixture of buildings, hard surfaces for access, turning and parking and an extensive well maintained mown area to its frontage.

6. The proposed building would be low lying with a satisfactory design, similar in profile to those to be replaced. It would not be prominent in views from Somersbury Lane or from neighbouring sites but would be visible from open land to the east and from a footpath to the north. The built form would be appropriate to this setting. The proposal would extend the residential use into a backland area, but there are already buildings in this location and the depth of development would not be greater than at the adjacent business park. The Council are concerned that a residential use would increase the pressure for areas of parking and hardstanding, but this would not necessarily be greater than for an alternative agricultural use. The dwelling's form would conceal the parking area proposed to its front from the footpath to the north.
7. The proposed building would be in accordance with Policy TD1 of the Waverley Borough Local Plan Part 1 Strategic Policies and Sites (2018) (WBLP) requiring development to be of high quality design and well related in size and character to its surroundings. The residential use of the site as a whole has to be assessed against Policy RE1 of the WBLP, which requires the intrinsic character and beauty of the countryside to be recognised and safeguarded in accordance with the Framework, and Policy RE3 which seeks to respect and enhance the distinctive landscape character of the AGLV. Paragraph 174 of the Framework states that planning decisions should contribute to and enhance the natural and local environment by protecting valued landscapes; this would include the AGLV. Policy RE3 indicates that the AGLV will be retained until there has been a review of the boundary to the Surrey Hills Area of Outstanding Natural Beauty. The timescales for this are uncertain but until that time the AGLV designation retains significance.
8. The site currently has an unkempt appearance. Its residential use would result in a more manicured appearance with some domestic paraphernalia. This would be similar to that of dwellings fronting Somersbury Lane and the lawned entrance to the business park, but the appeal site has a large curtilage and a long boundary with areas of open countryside forming a more sensitive part of the AGLV. Notwithstanding the site's present overgrown nature, the proposal does not demonstrate how the AGLV would be respected or enhanced in relation to the domestication of the site as a whole. It would be contrary to Policies RE1 and RE3 and Paragraph 174 of the Framework.

Location

9. The proposed dwelling would be in a rural location, outside of any settlement boundary. As it would be near to other dwellings along Somersbury Lane, it would not be an "*isolated*" home, but neither would it accord with any of the exceptions listed in Paragraph 80 to the Framework on the general restraint on building new homes in the countryside. Policy SP2 to the WBLP sets out a strategy to focus development within main settlements whilst allowing moderate or limited development in or around smaller settlements. This is to ensure development needs are met in a sustainable manner.
10. The site is not close to settlements where everyday services can be provided. Ewhurst is about 2km away and has an infant's school and basic services. Cranleigh has a primary school and some shops at a distance of some 4km. The nearest bus stops are about 1.5km to the south and 0.9km to the north. As Somersbury Lane is unlit, does not have a footpath and traffic can travel up to 60 miles and hour, it is unlikely that future residents would walk to the

nearest settlements or bus stops. Poor lighting and fast traffic would also be a disincentive for cycling. It is therefore likely that future residents would be reliant on the use of private cars to access everyday goods and services. The proposal would thereby not be a sustainable form of development and would be contrary to Policy SP2 and the thrust towards sustainable development, even in rural areas, set out in the Framework.

11. The Council's latest housing data indicates a 4.99 year supply of housing land, marginally below the 5 years supply required by national planning policies. The position is likely to change with subsequent data reviews. Even if the tilted balance at Paragraph 11(d) of the Framework is applied, the harm arising from the unsustainable nature of the development would significantly and demonstrably outweigh the benefit of a single dwelling to housing supply.

Highway safety

12. The site's vehicular access benefits from planning permission WA/2012/1731 but the Council contends that a condition relating to visibility is breached. Any enforcement of this would be a matter for the Council. To the south of the access is a hedge and narrow grass verge. At the time of my visit these were neatly trimmed and appeared to be under the control of the adjacent business park. The hedge could restrict visibility to the south for vehicles exiting the site, but to the north is a wide area of hardstanding and access in front of Home Farm Cottage. There is clear visibility in this direction, and it would be a simple manoeuvre for a motorist to position a car to obtain better visibility to the south.
13. The access is located on the outside of a gentle bend in Somersbury Lane. Whilst no traffic speed data has been submitted, having regard to bends and changes in gradient to the carriageway near to the site, it is likely that prevailing traffic speeds would be less than the permitted 60 miles an hour. The volume of traffic using the site for the one dwelling proposed would be low and probably not significantly different from that arising from the permitted agricultural use of the site.
14. Taking account of all relevant considerations, the proposal would not be contrary to Policy ST1 of the WBLP relating to sustainable transport and which recognises that measures will vary from urban to rural locations. Paragraph 111 of the Framework also states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe.

Other Matters

15. Residents have objected on the grounds of the building being overbearing with loss of privacy. Having regard to separation distances to the nearest dwellings, my findings are that there would be no material adverse effect on living conditions.
16. The appellant has drawn my attention to a recent permission for extensions and use of Somersbury Manor as a rural events venue. Whilst close to the appeal site, there are substantial differences between the size and nature of the sites and the two proposals. The Somersbury Manor permission does not change my findings on the appeal proposal.

Conclusion

17. The location of the proposal would result in an unsustainable form of development which would also be harmful to its rural landscape character within the AGLV. For the reasons given above I conclude that the appeal should be dismissed.

Rory MacLeod

INSPECTOR