
Appeal Decision

Site visit made on 29 November 2021

by Martin Chandler BSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2021

Appeal Ref: APP/R3650/W/21/3273010

Land At Alfold Farm Bungalow, Loxwood Road, Alfold, Cranleigh GU6 8HP

- 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 Crumley on behalf of Crumley Developments Ltd against the decision of Waverley Borough Council.
 - The application Ref WA/2020/1794, dated 7 October 2020, was refused by notice dated 12 March 2021.
 - The development proposed is Erection of three residential dwellings with associated access, parking and landscaping.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of three residential dwellings with associated access, parking and landscaping, at Land at Alford Farm Bungalow, Loxwood Road, Alfold, Cranleigh GU6 8HP, in accordance with the terms of application Ref: WA/2020/1794, dated 7 October 2020 and subject to the conditions in the attached Schedule.

Main Issues

2. The main issues are:
 - i) the effect of the proposal on the character and appearance of the surrounding area; and
 - ii) the effect of the planning balance and whether any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits.

Reasons

Character and Appearance

3. For the purposes of the development plan, the appeal site is located within land designated as Countryside beyond the Green Belt. Accordingly, Policy RE1 of the Local Plan Part 1: Strategic Policies and Sites (2018) (LP) states that within such areas, the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the National Planning Policy Framework (the Framework).
4. Due to its countryside location, the proposal has been supplemented by a Landscape and Visual Impact Assessment (LVIA). This confirms that, in accordance with the Surrey Landscape Character Assessment (2015) (SLCA), the site is located within an area designated as being within the 'Distinct Areas on the Edge of Urban Areas' classification. It also reiterates the fact that the

character of the area is described as 'scattered farmsteads and individual dwellings'.

5. The appeal site is located to the north of an existing farmstead that appears to have recently been the subject of extensive conversions. The converted buildings have retained their agricultural appearance and are primarily formed around a central area of hardstanding that is currently used for car parking. The site currently represents an area of undeveloped land beyond the farmstead. It is bounded on two sides by open countryside, however, to the south is a row of residential properties which are consistent in form and appearance with other buildings on the site. Additionally, to the west of the appeal site, a small development of further residential properties has commenced. Consequently, the site is now bounded on two sides by built form.
6. Regardless of the development to the west and south of the site, the parcel of land remains undeveloped and as a consequence, its form is consistent with that identified within the SLCA. In my judgement, due to its undeveloped status on the edge of a converted farmstead, in its current form, the appeal site makes a positive contribution to the character and appearance of the area.
7. The proposal would introduce a terrace of three, single storey dwellings. They would be located on a north-south axis across the site with car parking to the west of the buildings, and private amenity space to the east. Due to the introduction of a substantial level of built form and associated hardstanding, the proposal would demonstrably alter the appearance and form of the appeal site. It would enlarge the cluster of existing buildings and remove an undeveloped parcel of land from the open countryside. This would be in direct conflict with the requirements of local policy.
8. The development to the west of the appeal site does materially alter how the appeal site is currently experienced. This has the effect of ensuring that the proposal would not be isolated, nor particularly removed from existing developments. Accordingly, I find that the proposal would be well-related to existing buildings. However, local policy seeks to protect land designated as Countryside beyond the Green Belt, and for the reasons identified above, due to its undeveloped status, the proposal would fail to achieve this aim. It would result in material visual harm to the rural qualities of the area and consequently, I conclude that the proposal would harm the character and appearance of the surrounding area. It would therefore fail to comply with Policies TD1 and RE1 of the LP and Saved Policies D1 and D4 of the Waverley Borough Local Plan (2002). Taken together, and amongst other things, these seek to safeguard the intrinsic character and beauty of the countryside, and to achieve high quality design which integrates well with its surroundings.

Planning Balance

9. Within the evidence before me, it is confirmed that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. Consequently, the presumption in favour of sustainable development, as identified within Paragraph 11 of the Framework is engaged. This states that where the policies which are most important for determination are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole.

10. With regard to benefits, the proposal would represent a small site that could make a small but meaningful contribution to local housing supply. The proposal would also represent a site that could be brought forward relatively quickly. In addition, the parties agree that despite its rural location, it is close to services and facilities. The proposal would also bring with it economic benefits through the creation of construction jobs as well as additional and ongoing expenditure into the local economy. Although the development is of a relatively small scale, when assessed against the Framework, cumulatively, they attract modest weight in favour of the proposal.
11. As identified above, the proposal would conflict with the development plan regarding its visual effect on the countryside. However, due to the presence of development to the west and south of the appeal site, I am satisfied that the proposal would integrate with the adjacent cluster of buildings. This would limit the visual harm that would be caused. In addition, subject to suitable landscaping, the visual harm could be further reduced. On this basis, despite the conflict with local policy, I only attribute modest weight to the harm that would be caused by the proposal.
12. In light of the housing supply position of the Council, the Framework requires that permission should be granted unless the adverse impacts of the proposal significantly and demonstrably outweigh the benefits. For the reasons identified above, I am satisfied that this would not be the case. Accordingly, when applying the planning balance, I conclude that the proposal should benefit from the presumption in favour of sustainable development as identified within the Framework. On the basis of the evidence before me, I am also satisfied that I am not bound by the findings of a previous appeal decision on this site.

Other Matters and Conditions

13. I note the concerns in relation to flood risk. However, the appeal site lies within Flood Zone 1 and no objection has been raised to the proposal by the Lead Local Flood Authority. Accordingly, subject to suitably worded planning conditions, I have no reason to disagree with the Council's conclusions on this matter. I am also satisfied that the proposal would provide suitable access and parking arrangements. Accordingly, it would not compromise highway safety.
14. In light of my findings set out above, conditions are necessary in the interests of precision to establish the time limit for the commencement of development and to list the approved drawing numbers. Condition 3 is necessary to ensure a suitable external finish for the development, and conditions 4 and 5 are necessary to ensure suitable tree protection and a high quality landscaping scheme.
15. Conditions 6 and 7 are necessary to ensure that a suitable drainage scheme is provided, and condition 8 is necessary to ensure appropriate car parking provision. Condition 9 is necessary in the interests of highway safety and living conditions, and conditions 10 and 11 are necessary to promote the use of electric vehicles and to reduce water consumption. Finally, condition 12 is necessary to ensure high-quality broadband facilities.
16. Where conditions require work to be carried out prior to the commencement of development, the appellant has confirmed their agreement in writing.

Conclusion

17. Section 38(6) of the Planning and Compulsory Purchase Act requires that decisions be made in accordance with the development plan, unless material considerations indicate otherwise. In this instance, the presumption in favour of sustainable development is a material consideration of significant weight, and I am entirely satisfied that it indicates that a decision contrary to the development plan is justified.
18. Accordingly, for the reasons identified above, the appeal should be allowed.

Martin Chandler

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development shall be commenced within three years of the date of this decision.
- 2) The plan numbers to which this permission relates are AFB3-FP-BP-01; AFB3-FP-SK-06 A; AFB3-FP-Land-02 D; AFB3-FP-LP-01 C; AFB3-FP-GA-01B; AFB3-FP-SEle-03; AFB3-FP-SEle-01B and AFB3-FP-SEle-02C. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4) Prior to commencement of any works on site, demolition or other development activities, a scheme of tree protection (in line with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations) shall be submitted to and agreed by the Local Planning Authority in writing. Where relevant, such scheme shall also take "off-site" trees into consideration. The Local Authority Tree and Landscape Officer shall be informed of the proposed commencement date a minimum of two weeks prior to that date to allow inspection of protection measures before commencement. The agreed protection to be kept in position throughout the development period until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without written consent of the Local Planning Authority.
- 5) The development hereby approved shall be undertaken in strict accordance with the submitted Landscape Plan AFB3-FP-Land-03. No variation from the submitted details shall be undertaken without the prior written approval of the Local Planning Authority.
- 6) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - b) A plan showing exceedance flows (i.e., during rainfall greater than design events or during blockage) and how property on and off site will be protected.

- c) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - d) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- 7) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).
- 8) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
- 9) No development shall commence until a Construction Transport Management Plan, to include details of: a) parking for vehicles of site personnel, operatives and visitors b) loading and unloading of plant and materials c) storage of plant and materials d) measures to prevent the deposit of materials on the highway has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.
- 10) The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.
- 11) Prior to the occupation of the dwellings, details shall be submitted to and be approved in writing by the Local Planning Authority to confirm that the dwellings have been completed to meet the requirement of 110 litres of water per person per day.
- 12) Prior to the first occupation of the dwelling here by permitted the highest available speed broadband infrastructure shall be installed and made available for use unless otherwise agreed in writing by the Local Planning Authority.