



Appeal Decision

Site visit made on 30 March 2022

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 APRIL 2022

Appeal Ref: APP/R3650/D/21/3282094

Kiln Cottage, West End Lane, Frensham, Farnham GU10 3BE

- 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 & Mrs Daw against the decision of Waverley Borough Council.
 - The application Ref WA/2020/2080, dated 23 November 2020, was refused by notice dated 18 June 2021.
 - The development proposed is erection of extensions and alterations.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of extensions and alterations at Kiln Cottage, West End Lane, Frensham, Farnham GU10 3BE in accordance with the terms of the application, Ref WA/2020/2080, dated 23 November 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01286: PL20, PL21A and PL22B
 - 3) No development above ground floor slab level shall commence until details of the materials to be used in the construction of the external surfaces of the extension 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 and shall be permanently retained as such.
 - 4) The flat roof of the single storey rear extension hereby permitted shall not at any time be used as a balcony, terrace or similar amenity area. No railings or other form of enclosure shall be erected upon the roof of the flat roof extension.

Preliminary Matters

2. A proposed garage was removed from the scheme during the application process. This element is not before me now and the appeal is determined on this basis.
3. The description of development has consequently also changed from that set out on the application form. The description in the banner heading is therefore taken from the decision notice and appeal form, although the reference to amended plans does not form part of the act of development and so this has been removed for brevity.

Main Issue

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

Reasons

5. The appeal site is located in the countryside for the purposes of the development plan and within an Area of Great Landscape Value where the distinctive character of the landscape should be respected. Policy TD1 of the Waverley Borough Local Plan Part 1 (2018) (LP Part 1) and Policies D1 and D4 of the Waverley Borough Local Plan 2002 (LP) together seek high quality design which is appropriate to the site, respects the local distinctiveness of the area and which would not cause material detriment by damage to areas of landscape value, amongst other things.
6. This part of West End Lane is a narrow road with no pavements. Although in this location there are properties on both sides of the road, development is not continuous resulting in a spacious character. To the rear are open fields. There is therefore a rural appearance and landscape character to the appeal site and its surroundings.
7. Kiln Cottage is a traditional two storey cottage, in brick and tile with its upper floors mainly contained within the hipped pitched roof, including gables with pitched roofs to the rear and side. It is part of a row of similar properties which share these attractive features. The property has already been extended with a subservient two storey side extension.
8. The proposed development is for a flat roof, brick, single storey rear extension. The style of the addition, particularly its flat roof, would be different to the main house.
9. The Frensham Parish Council Village Design Statement (VDS) advises that flat roofs are to be avoided wherever possible. Nevertheless, the clearly domestic nature and modest size and scale of the extension mean that the character and appearance of the original dwelling would remain readily apparent. Consequently, the proposed development would not result in significant harm to the character and appearance of the host property even though it would not fully comply with the VDS.
10. The minimal size of the proposal and its position to the rear of Kiln Cottage would also mean that the development would retain the rural qualities of the dwelling and its surroundings. Consequently, it would not notably alter the existing countryside character.
11. Furthermore, its position to the rear means that it would not be apparent from the street even though it would be visible from nearby homes including those on Summerfield Lane. Therefore, it would not be contrary to the advice in the Residential Extensions Supplementary Planning Document (2010) which states that a flat roof on a small single storey extension may be acceptable if it cannot be seen from the street, even if this is not usually encouraged.
12. Policy RD2 of the LP has been drawn to my attention and provides three criteria which extensions to dwellings outside settlements both within and beyond the Green Belt should meet. Criteria b and c require that the design would not have an adverse effect on the existing dwelling and that the development would be

in keeping with the rural character. In these respects, it can be seen from my reasoning above that the proposed development complies.

13. Criteria a states that extensions in these locations should not result in disproportionate additions. However, The National Planning Policy Framework (2021) (the Framework) states that disproportionate additions over and above the size of the original building are inappropriate in the Green Belt, but the Framework does not apply this test to other land. Consequently, in terms of extensions outside the Green Belt, criteria a of Policy RD2 of the LP is inconsistent with the Framework. The Council have not found harm with regard to this matter and I concur. Therefore, in these circumstances the other considerations including the Framework outweigh the partial conflict with Policy RD2 of the LP.
14. As such the proposed development would have an acceptable effect on the character and appearance of the area. Consequently, it would be in accordance with policies TD1 of the LP Part 1 and Policies D1 and D4 of the LP.

Other Matters

15. The inclusion of bifold doors to the rear would not result in a significant increase in light or noise compared with existing domestic windows and doors. Therefore, there would not be an unacceptably adverse effect on neighbouring living conditions in this respect. Furthermore, I am satisfied that any light spill as a result of this extension would not have a harmful effect on biodiversity.

Conditions

16. I have had regard to the planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents.
17. I am attaching the standard implementation condition, and in the interests of certainty a condition to define the plans with which the scheme should accord. The proposed materials and their colour are not specified on the approved drawings. As such the submission of details of materials is required by condition in order to protect the character and appearance of the area. Also, a condition that the roof must not be used as a balcony or similar is required in the interests of the living conditions of neighbouring occupiers.

Conclusion

18. The proposal would not wholly accord with the development plan. However, in this case the other considerations, including the provisions of the Framework indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

H Miles

INSPECTOR