



Appeal Decision

Site visit made on 9 August 2022

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th August 2022

Appeal Ref: APP/R3650/W/21/3287732

Domford, Thursley Road, Godalming GU8 6DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Axtell against Waverley Borough Council.
 - The application Ref WA/2022/01261, is dated 27 September 2021.
 - The development proposed is 4.2m extension to front of existing garage.
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Decision

1. The appeal is allowed and planning permission is granted for 4.2m extension to front of existing garage at Domford, Thursley Road, Godalming GU8 6DY in accordance with the terms of the application, Ref WA/2022/01261, dated 27 September 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A15514.3.1.02 Rev B; A15514.01.05 Rev B; and A15514.3.1.01 Rev B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing garage but shall not include concrete render.

Preliminary Matters

2. Since this is an appeal against non-determination, there is no decision notice. That said, the Council has provided an officer report and a letter, which together set out the reasons why it would have refused planning permission. This evidence has informed the main issues of the appeal.
3. However, it should be noted that the Council has since clarified that it incorrectly referred, in the covering letter, to the site being within a Conservation Area. The Council also incorrectly referred to the effect of the proposed development on the setting of locally listed buildings. Indeed, the Council has since confirmed that the alleged heritage harm relates to the effect of the proposed development on the setting of Domford (the host property) which is a Grade II listed building.
4. The appellant has submitted amended plans with this appeal, which include an amended scale bar. In considering the acceptability of these amendments, I

have had regard to the Wheatcroft¹ principles. Other than the scale bar, the scale annotated on the drawings and the dimensions of the buildings shown on the plans are identical to those submitted to the Council.

5. These changes have no material effect on the proposed development (given that the dimensions and overall scale shown on the plans remain unchanged). Indeed, if one were to have relied solely on the original scale bars to interpret the original plans then the development would have appeared to be larger than is in fact proposed. As such, anyone who interpreted the plans with these scale bars would not be prejudiced by the inclusion of the amended scale bars as these now reflect the correct (and smaller than previously indicated) dimensions proposed. For these reasons, the amendments are primarily aimed at providing further clarification and they do not fundamentally alter the development as originally proposed and consulted on by the Council. I have therefore considered this appeal on the basis of the amended plans².
6. The appeal site is within the Green Belt. However, the officer report confirms that the Council does not consider the proposal to amount to 'inappropriate development' as defined within the Framework. There is no substantive evidence before me to indicate that this position is incorrect, and I have considered the appeal on this basis.

Main Issues

7. The main issues are:

- The effect of the proposed development on the setting of a Grade II listed building (Domford).
- The effect of the proposed development on the character and appearance of the area including its effect on the Surrey Hills Area of Outstanding Natural Beauty (AONB), the Area of Great Landscape Value (AGLV) and existing trees.

Reasons

Listed Building

8. Domford is a 16th Century 3½-bay smoke-bay house. The building is timber framed and set within reasonably extensive grounds. The evidence before me indicates that Listed Building Consent was granted in 2017 under Council reference WA/2017/1935 to replace the 19th century rear wing referred to in the listing description. During my site visit I noted that it appears that this work has commenced.
9. Under section 66 (1) and section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I am obliged to have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest.
10. The building derives its significance primarily from its relatively unusual transitional nature, in that it has important transitional features between a medieval and chimney house. Indeed, the evidence suggests that the building may have comprised an open hall with smoke control. It also derives

¹ Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]

² A15514.3.1.02 Rev B; A15514.01.05 Rev B; and A15514.3.1.01 Rev B.

significance from its relatively grand and well-preserved appearance. It's spacious grounds, which include the appeal site, contribute towards this grandeur, and make a positive contribution to its significance in this regard.

11. The appeal site comprises an existing single storey detached garage, which includes timber cladding, a small area of render and a corrugated metal roof. This building, whilst clearly not of any significant architectural or historical importance, has a rural and understated appearance. Given the significant separation distance, the existing garage does not have a harmful impact on the significance of the Listed Building.
12. The proposed development would add a very modest extension to the existing garage which would retain its existing height, width and general character, with the proposed materials comprising of timber cladding and corrugated metal. Given the very limited scale of the proposed development and its sympathetic design, whilst it would be visible in conjunction with the Listed Building, it does not detract from the grandeur or historic significance of the heritage asset. As such, the proposed development would not result in any harm to the setting of the heritage asset. Indeed, its impact would be neutral. A planning condition would ensure that the proposed timber and corrugated metal match the existing materials.
13. For these reasons, the proposed development would comply with Local Plan (2018) Policy HA1 which seeks to ensure that development conserves or enhances the significance of heritage assets. It would also comply with the relevant provisions of the Framework in relation to heritage assets.
14. The Council has referred to saved Local Plan (2002) Policies HE5 and HE10, but I have not been provided with a copy of these policies and it is therefore not possible to reach a conclusion on them.

Character and Appearance

15. The proposed development would be contained within the grounds of the host property and would not be clearly visible from the surrounding area given its modest scale. The proposal involves a minor extension of an existing building and the materials would match the existing. As such, it would be in keeping with the character of the surrounding area, which comprises predominantly of residential development of varying appearance, layout and scale.
16. The Council has referred to the impact of the development on the Surrey Hills AONB and the AGLV. Framework Paragraph 176 states that Great weight should be given to conserving and enhancing landscape and scenic beauty of an AONB.
17. The Surrey Hills AONB management plan (2020-2025) indicates that a key feature of the AONB is its diverse landscape, comprising of hills, valleys and woodland within which agricultural uses and picturesque villages sit. Indeed, this mosaic character is distinctive and valuable. The proposed development would conserve these characteristics given its very modest scale and the fact that it would not be clearly visible from the surrounding area. For the same reasons it would not be harmful to the character of the AGLV.
18. The Council refer to concerns in relation to the effect of the proposed development on large specimen trees and in particular a large oak tree. However, the oak tree has already been removed and during my site visit there

was no evidence to indicate that any large specimen trees would be affected by the proposed development.

19. As such, the proposed development would conserve the natural character of the AONB and would not harm the character of the AGLV or surrounding area. It would therefore comply with Local Plan (2018) Policy TD1 and saved Local Plan (2002) Policies D1 and D4. These policies collectively require that new development is of a high-quality design, which responds to local character. It would also comply with Local Plan (2018) Policies RE3 and NE2 which relate to the impact of development on the AONB and green infrastructure respectively.
20. The proposed development would also comply with the relevant provisions of the Framework including paragraph 176.
21. The Council's covering letter refers to an alleged conflict with the Residential Extensions SPD³ but the Council has not explained how there would be a conflict in this regard. As such, I have not identified any conflict with it.

Other Matters

22. The Parish Council objected to the proposed development and suggested that permitted development rights should be removed from the garage should permission be granted. However, given that the garage is within the curtilage of a listed building, permitted development rights to maintain, improve or alter the garage do not apply in any case. As such, there is insufficient justification to warrant the removal of permitted development rights.

Conditions

23. Conditions relating to timeliness [1] and the identification of plans [2] are necessary to provide certainty.
24. The Council has recommended that samples of materials should be provided, however a condition specifying that the cladding and roofing materials match the existing garage [3] would be sufficient to ensure that the character and appearance of the area (including the AONB) and the setting of the listed building is preserved.
25. These conditions meet the tests set out within the Framework.
26. The Council has recommended a tree protection condition. However, given my conclusions in relation to the impact on trees, this condition is not necessary.

Conclusion

27. The proposed development would comply with the development plan taken as a whole and there are no material considerations of sufficient weight to warrant a decision other than in accordance with it. The appeal is therefore allowed, subject to conditions.

Luke Simpson

INSPECTOR

³ Residential Extensions SPD, adopted October 2010