



Appeal Decision

Site visit made on 27 July 2022

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2022

Appeal Ref: APP/R3650/W/22/3294241

The Oast House, 6 Mead Lane, Farnham GU9 7DY

- 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 Michael O'Leary against the decision of Waverley Borough Council.
 - The application Ref WA/2021/01457, dated 29 March 2021, was refused by notice dated 11 November 2021.
 - The development proposed is a new detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development on the application form goes beyond describing the proposal. I have amended the description of development, removing reference to the site address for conciseness.

Main Issues

3. The main issues are the effect of the proposed development on: i) the significance of the listed building, ii) the character and appearance of the area and whether it would preserve or enhance the character or appearance of the Farnham Town Centre Conservation Area (Conservation Area), and iii) the living conditions of the occupiers of Pipistrel Cottage with regard to outlook.

Reasons

Listed Building

4. The appeal site is situated within the setting of a listed building¹. The main parties agree that the significance of this heritage asset lies in the historical use and the architectural form of the two buildings that comprise the listed heritage asset, which are a distinctive form of an agricultural building associated with the hop trade in the town during the 18th and 19th centuries.
5. It is evident that the setting of the listed building has seen significant change, with No. 6 having been extended, and other changes, such as the removal of the kiln range and in the use of the buildings. Despite this, the demolition of the built form to the south of the listed building predates the listing. Although it now consists of a car park and grassed area, it nevertheless formed part of this

¹ A single entry on the statutory list covers both No's 5 and 6 Mead Lane. I have referenced these two singularly as a listed building in consideration of this appeal.

historic agricultural site. Whilst the appellant considers that the appeal site has an ill-defined use and does not contribute significantly to the significance of the listed building, and has referenced the Council Conservation Officer's views in this regard, I consider that it still makes a positive contribution, albeit this contribution is reduced due to the changes described. That part of the appeal site which forms a lawned area still has a close visual relationship with No. 6, and the car parking area serves both No's 5 and 6 covered by the listing.

6. The appeal proposal has been carefully considered by adopting a simple form that reflects its historic use as well as in the careful design of the bin stores and the boundary treatment. It would nevertheless result in the sub-division of the site and separation from the listed building which would reduce the understanding of the historic function of this area of land with the wider area's agricultural history. I appreciate there have already been ownership changes in the historic agricultural site as well as other changes in the arrangement and treatment of external spaces. The proposed development would however further reduce the legibility and understanding of the site in its historical context.
7. The proposal would therefore be harmful to the significance of the listed building. In terms of the National Planning Policy Framework (Framework), I assess the harm as less than substantial. Even so, great weight should be given to an asset's conservation. Paragraph 202 of the Framework advises that the harm should be weighed against the public benefits of the proposal.
8. The appeal scheme would reintroduce built development with an industrial aesthetic on a site that is said to be vacant. However, for the reasons set out above, it would give rise to harmful sub-division, and I do not consider that the introduction of a dwelling that is divorced in terms of its use from the nearby listed building and which would have a different footprint to the development that existed previously, would help with an understanding of how the site existed historically.
9. It has also been put forward that the development would bring the land into a new use. Although the introduction of a family dwelling would be beneficial to the supply of housing in the area, this benefit would be limited given the proposal is for a single dwelling.
10. Consequently, the public benefits that would arise from the proposal do not outweigh the harm that would be caused to the heritage asset. Accordingly, the proposal conflicts with the Framework in terms of its aim to sustain and enhance the significance of heritage assets.
11. As such, the proposed development would conflict with Policy HA1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites February 2018 (Local Plan Part 1) and Saved Policies HE3 and HE5 of the Waverley Borough Local Plan 2002 (Saved Local Plan) which seek, amongst other matters, to ensure that the significance of heritage assets are conserved and enhanced. It would also conflict with advice in the Farnham Design Statement and Section 16 of the Framework.

Character and Appearance

12. The appeal site is situated in the Conservation Area where there is an irregular pattern of development reflecting the growth and changes of the town in

differing periods. This can be seen in the position of buildings, which vary in their set back from the road and the variety in plot sizes as well as the built form which exhibit a range of styles. The significance of the Conservation Area lies in its architectural and historical interest.

13. In terms of its external appearance, the appeal proposal has been designed to reflect an industrial style of architecture. The proposed development would reduce the space between buildings, but in an area where the layout and spacing between buildings is varied and reflects the evolution of the area over time, I do not consider this would be harmful. Although the Council consider that the open space area where the proposal would be sited provides balance between buildings, there would still be spacing between the proposed appeal building and those around it. It would not therefore appear visually cramped.
14. The proposal would be sited on higher ground than some of the neighbouring buildings but the land levels in the area vary, such that many of the buildings appear at differing heights. The higher ridge height would present a larger mass of built form when viewed from certain vantage points from the south and east but given the footprint, and the part single and part two storey form of the proposed dwelling, I do not consider that its overall mass and scale would be at odds with the surrounding development.
15. In conclusion, the proposal would not unduly harm the character and appearance of the area and would preserve the character and appearance of the Conservation Area. As such, it would not conflict with Local Plan Part 1 Policy TD1 which requires development to respond to the distinctive character of the area, or with Local Plan Part 1 Policy HA1 insofar as it conserves the significance of the Conservation Area. It would also not be contrary to Saved Policies D1 and D4 of the Saved Local Plan or Policy FNP1 of the Farnham Neighbourhood Plan (Neighbourhood Plan), which seek, amongst other matters, high quality design.
16. Policy FNP16 of the Neighbourhood Plan and the Residential Extensions Supplementary Planning Document (RE SPD) are referenced in the refusal notice but these relate to extensions to buildings.

Living Conditions

17. The proposed dwelling would be located close to the eastern boundary of the appeal site, with the main garden area to Pipistrel Cottage beyond it. There is a difference in site levels between the appeal site and this neighbouring property. Despite this and the proximity between the two properties, the proposal would have a single storey form closest to the boundary, with the two-storey element set away from it and incorporating a hipped roof arrangement that slopes away from this neighbouring site. The proposed dwelling would also have a narrow elevation facing the eastern boundary. I appreciate the upper level of the proposal would have a plain appearance but given the aforementioned factors relating to the first floor being set away and the intended roof and plan form of the proposal, I do not consider that it would appear as an imposing, overbearing addition from the garden area of this neighbouring property.
18. I therefore conclude that the proposed development would not have an unacceptable adverse impact on the living conditions of the occupiers of Pipistrel Cottage with regard to outlook. As such, it would not conflict with Policy TD1 of the Local Plan Part 1 or with Saved Policies D1 and D4 of the

Saved Local Plan which seek, amongst other matters, for development to not significantly harm the amenities of the occupiers of neighbouring properties. Although reference is made to Policy FNP1 of the Neighbourhood Plan, this is not relevant to living conditions matters nor are Policy FNP16 of the Neighbourhood Plan or the RE SPD as these relate to extensions to buildings.

Other Matters

19. Reference has been made to a previous appeal decision² on the appeal site. There have however been significant changes to both national and local policy since this historic decision. I also note reference to the planning history of the site, including pre-application engagement with the Council's Heritage Team where there were positive discussions and amendments to the scheme. This appeal however follows the Council's formal decision, and I can confirm that I have assessed the development on both its merits and impacts. A general reference has been made to other developments on garden land, but I have not been provided with any further details on the circumstances of those cases.
20. The proposal is located in the developed area of Farnham and would accord with the Council's spatial strategy in terms of the location of development. It would not adversely impact on highway safety providing car and cycle parking, as well as sufficient amenity space for the proposed dwelling and the office building at No. 6. The proposal would meet building regulations in terms of insulation and energy efficiency and be acceptable in terms of drainage and flood risk. Given the established boundary treatment between the proposal and the locally listed cottages at 7-12 Mead Lane, I do not consider there would be any harmful impact arising on them. These are neutral matters and not ones which weigh in its favour.

Conclusion

21. The proposal would provide a new use on an area of land that is referenced as being currently vacant. The provision of a single family dwelling on this site would however make a small contribution to the Council's housing supply. These matters therefore attract limited weight in favour of the proposal.
22. The proposal would be acceptable in relation to its effect on the character and appearance of the area and would preserve the character and appearance of the Conservation Area. It would also not give rise to any unacceptable effects in terms of living conditions. These and other such referenced matters are however neutral considerations and not ones which weigh in favour of the development.
23. I have found harm to the significance of the listed building. Paragraph 199 of the Framework states that great weight should be given to an asset's conservation. As such, the public benefits would not outweigh the great weight to be given to the less than substantial harm that I have identified.
24. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal is dismissed.

F Rafiq INSPECTOR

² T/APP/R3650/A/83/5230/PS