



Appeal Decision

Site visit made on 17 January 2023

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 February 2023

Appeal Ref: APP/R3650/W/22/3306415

Reeds Hatch Farm, Boundary Road, Dockenfield, Farnham GU10 4ET

- 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 Charles Boffin against the decision of Waverley Borough Council.
 - The application Ref WA/2021/02679, dated 6 August 2021, was refused by notice dated 8 March 2022.
 - The development proposed is the demolition of the existing American barn and its replacement with a new residential dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to the Countryside beyond the Green Belt and the Area of Great Landscape Value (AGLV).

Reasons

3. The appeal site is located within the area defined in Policy RE1 Waverley Borough Local Plan Part 1: Strategic Policies and Sites (February 2018) (the Local Plan Part 1) as Countryside beyond the Green Belt. It is also located within an AGLV, designated for its landscape value as well as a buffer to an Area of Outstanding Natural Beauty (AONB). Although a local landscape designation, Policy RE3 of the Local Plan Part 1 applies the same principles for protecting the AONB to the AGLV through seeking to protect and enhance the character and qualities of that landscape.
4. The appeal site forms part of the wider Reeds Hatch Farm landholding, located adjacent to Reed House. The local landscape is characterised by the open fields associated with the landholding, with wooded areas and hedgerows primarily focused on field boundaries and alongside narrow lanes. Whilst other dwellings are scattered in the surrounding area, they are sited alongside the lanes and are largely screened by hedgerows and mature trees.
5. As the appeal site is flat and located on an elevated part of the wider landholding, the open nature of its immediate surroundings allows views of the, now partially demolished, American Barn located on the site from parts of Boundary Lane and Woodhill Lane. From Wood End Lane, views are more limited given the sloping nature of the landholding down towards the lane. Whilst other buildings associated with the landholding are also visible in the

landscape, these comprise outbuildings associated with Reed House, stables and other horse related facilities. Therefore, despite not currently in agricultural use, the site and the landholding complements the rural character of the area.

6. The appellant's Landscape and Visual Impact Assessment (LVIA) contends that the change to the local landscape that would be brought about by the proposed development would be negligible, with the overall effects on the local landscape being insignificant. The main focus of the LVIA relates to the visual effects from key receptors in the surrounding area, concluding that there are no significant visual effects. However, in respect of Reeds Hatch Farmhouse and the property on the corner of Boundary Road and West End Lane, the LVIA concludes that 'slight adverse effects' would result.
7. I visited all key receptors identified within the LVIA during my site visit. As the existing American Barn is sited away from the highway, it was visible from several of the receptors from Boundary Lane, Woodhill Lane and West End Lane, including through gaps in the existing treed hedgerows along these routes. Given the proposed development would comprise a detached two storey flat roofed dwelling, that exceeds the height of the American Barn by 2.4m and would comprise a bulkier form, it would be a more prominent feature than the existing barn in these views, even during summer months when the trees and hedgerows are in full bloom. Notwithstanding the fact that there are no policy restrictions on a two storey building in the area, and there are existing two storey properties nearby, they are more closely related to the narrow lanes than any surrounding open fields.
8. Consequently, irrespective of whether the landscape is of medium quality and value or considered to be of low sensitivity to the type of development proposed, it would be an intrusive form in an otherwise open part of the landscape. The fact that there would be no loss of any valuable landscape features is a neutral matter.
9. Although the LVIA refers to the potential for additional planting to be proposed along the site boundary closest to West End Lane, no further details have been provided. Irrespective of the absence of policies requiring new buildings to be hidden from view, I cannot be certain that such planting proposals would mitigate the views from West End Lane, and potentially Boundary Lane, whilst protecting the open character of the surrounding landscape.
10. I have been referred to the previous planning permission¹ for a new dwelling on the appeal site. Whilst there are some similarities between this scheme and the appeal scheme, the fundamental difference between the two schemes relates to the height of the ridge line above the existing ground level. As the lower storey of the previous planning permission dwelling would be sunken into the ground, its ridge height would be lower than that of the appeal scheme, relative to ground level. Therefore, despite the appeal scheme comprising a smaller footprint, gross external floor area and overall width, its ridge height would be 2.4m higher above ground level than the previous planning permission.
11. Despite the previous planning permission having challenges in terms of its detail and the excavation required, the appellant has confirmed that, should this appeal be dismissed, it is very likely that it will be constructed. I have no

¹ Council application ref: WA/2020/0167

reason to doubt this statement, particularly given the consent has been implemented through the laying of foundations. Therefore, as there is a greater than a theoretical possibility² that the previous planning permission development will take place, it attracts substantial weight as a fallback position.

12. Although there is no dispute between the main parties that the increased height of the proposed dwelling above the ground would lead to the building being more visible, compared with the fallback dwelling, there is disagreement as to the effect it would have on the landscape. Whilst the Council accepts the LVIA's methodology, it does not concur that the reduced width of the proposed dwelling would balance, to some degree, the increase in height, and that only slightly more of the building would be visible when compared with the fallback dwelling. Similarly, I am not persuaded that significantly more of the appeal scheme would not be visible from public viewpoints (particularly key receptor locations 8, 9, 10, 13, 14, 15 and 17³). Furthermore, irrespective of any other building in the same view, given its striking architectural form and materials, the proposed dwelling would draw the eye.
13. Any potential of a localised change to the character of the area due to the excavation of the lower floor of the fallback dwelling and the acceptability of its architectural style and materials, would be outweighed by the harm the appeal scheme would have on the character and appearance of the area. As a result, I conclude that the proposed development be significantly more harmful than the fallback dwelling.
14. I have also been referred to the replacement dwelling at Sandpipers in the nearby village of Frensham. Although limited information is before me regarding this property and the planning regime in place at the time of the planning permission, given its relationship to a settlement, the context of Sandpipers is materially different to the appeal scheme. Therefore, even if the property is highly visible due to its 'commanding hilltop position', it has not altered my decision on this case.
15. Whilst the retained Policy RD2 of the Waverley Borough Local Plan 2002 (the Local Plan 2002) permits extensions to dwellings in the countryside, it requires proposals to meet specific criteria. This includes ensuring that the proposal would not appear more intrusive in the landscape or otherwise detract from the rural character of the area. Therefore, whilst the appellant contends that extensions would be possible to the previous planning permission dwelling, such proposals would still need to accord with retained Policy RD2.
16. My attention has been drawn to the potential for permitted development rights on a single storey dwelling in this location which would result in a building of a similar height to the appeal scheme. As this does not represent the development within either the appeal scheme or the previous planning permission, the likelihood of such a scheme being constructed is low. Therefore I attached limited weight to this in my decision.
17. For the reasons given above, I conclude that the proposed development would cause unacceptable harm to the character and appearance of the area and would not safeguard the intrinsic beauty of the countryside, including the

² Gambone v SSCLG [2014] EWHC 952 (Admin)

³ Identified in Figures 2 and 3 of the LVIA

Countryside beyond the Green Belt and the AGLV. As a result, it would conflict with policies RE1, RE3 and TD1 of the Local Plan Part 1 and retained policies D1 and D4 of the Local Plan 2002. These policies, amongst other provisions, require new development to respect, respond and integrate with the distinctive character of the landscape and not cause harm to the visual character of the locality.

18. I also find conflict with Chapters 12 and 15 of the National Planning Policy Framework (the Framework) which seek to protect and enhance valued landscapes and ensure development is sympathetic to its local character.

Other Matters

19. The site is located within 5km of the Wealden Heaths Special Protection Area (SPA), a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017. Although not an issue raised by the Council, it is incumbent upon me as the competent authority to consider whether the proposed development would be likely to have a significant effect on the integrity of the SPA. As I have found that the development is unacceptable for other reasons, it is not necessary for me to further consider the implications on the SPA.
20. Even if I were to conclude that the proposed development would not cause unacceptable harm to the living conditions of neighbouring occupiers, with particular regard to privacy, daylight or outlook, this would be a neutral factor.

Planning Balance

21. I have concluded that the proposed development is contrary to policies RE1, RE3 & TD1 of the Local Plan Part 1 and retained policies D1 and D4 of the Local Plan 2002. I find that these policies are consistent with Chapters 12 and 15 of the Framework where it states that planning decisions should ensure development is sympathetic to local character and recognise the intrinsic character and beauty of the countryside. Consequently, the proposed development conflicts with the development plan when read as a whole. I apportion considerable weight to this conflict and the associated harm to the character and appearance of the area, with particular regard to the Countryside beyond the Green Belt and the AGLV.
22. There is no disagreement between the main parties that the Council is unable to demonstrate a five-year supply of deliverable housing sites in accordance with paragraph 74 of the Framework. As such, paragraph 11dii of the Framework applies. The appeal scheme would have social and economic benefits from the construction of an additional dwelling, in support of the Framework's objective of significantly boosting the supply of homes. However, this contribution would be small. Similarly, any social or economic benefits from the construction of the proposed development would be limited. As such, I attach moderate weight to the benefits that would be brought about by the additional dwelling.
23. Therefore, the adverse impacts of the development significantly and demonstrably outweigh the benefits and the presumption in favour of sustainable development, as set out in the Framework, does not apply. The proposed development conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

24. For the above reasons, the appeal is dismissed.

Juliet Rogers

INSPECTOR