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# Appeal Decision

Site visit made on 20 February 2023

**by B Phillips BSc MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 March 2023**

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**Appeal Ref: APP/N1730/W/22/3302554**

**Bowenhurst Golf Centre, Mill Lane, Crondall, Farnham GU10 5RP**

- 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 Ms V Finn against the decision of Hart District Council.
  - The application Ref 22/00210/FUL, dated 27 January 2022, was refused by notice dated 13 April 2022.
  - The development proposed is described as a 'part conversion of golf greenkeepers' shed building to dwelling together with alterations.'
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. I observed on my site visit that the external timber cladding to the appeal building has in part been erected on site. As such, the proposal is partly retrospective.

## Main Issues

3. The main issues in this case are:
  - whether the appeal site is suitably located for a new dwelling having regard to local and national planning policy;
  - whether the proposal meets sustainability requirements with particular regard to energy and water use; and
  - the effect of the development on the Thames Basin Heaths Special Protection Area (SPA).

## Reasons

### *Location*

4. The appeal site is located next to the driving range and car park of Bowenhurst Golf Centre and comprises of an existing single storey modest golf greenkeepers' shed building. The wider setting includes development along Bowenhurst Lane, which comprises of a business park, some recreational facilities, a petrol station, and some residential properties, mostly located along Mill Lane but including the conversion of B1 units to residential under prior approval<sup>1</sup>.

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<sup>1</sup> Application reference 16/00471/PRIOR

5. There is no dispute that the site is located outside any settlement boundary and is therefore within the open countryside. Policy NBE1 of the Hart Local Plan Strategy and Sites 2032 (LP) sets out that development within the countryside is limited to a number of exceptions, including (h), 'converting previously used permanent buildings or redundant agricultural buildings for appropriate uses'. The supporting text to the policy explains that an appropriate use in this context is one that is consistent with other Development Plan Policies.
6. LP Policy SS1 sets out that development will be focused within defined settlements, on previously developed land in sustainable locations, and on allocated sites as shown on the Policies Map. This is broadly consistent with the aims of Paragraph 79 of the National Planning Policy Framework (the Framework), which seeks to promote sustainable development in rural areas, by ensuring housing is located where it will enhance or maintain the vitality of rural communities.
7. The site is not isolated in that there is surrounding development, however an appropriate location requires access to nearby services and facilities. The only shop within convenient and safe walking distance to the residents would be the service station shop on Farnham Road. There is a restaurant next to the driving range and there are recreational facilities such as the golf course and adventure golf area nearby, as well as the business park. In addition, there are residential properties near to the site, including the development along Mill Lane. However, this does not amount to sufficient services and facilities to meet the day to day needs of the intended future occupiers of the new dwelling.
8. The facilities and services of the nearby village of Crondall or Fleet/Church Cookham involve a lengthy and unsafe walk along unpaved roads and are therefore not within a convenient and safe walking distance from the appeal site.
9. With regards to bus stops, the appellant notes that there is a limited bus service 70 which serves Crondall with links to both Fleet and Farnham. The Council sets out that the nearest stop using this service is a mile from the application site, and the service is request only and operates as a public transport taxi service rather than a conventional bus service. The appellant does not dispute this. As such, it has not been demonstrated that there are practical public transport options which the future occupiers could easily use to reach and make use of the facilities and services of nearby settlements. The occupiers the proposed dwelling would therefore rely on the motor car. The site is not therefore located within a 'sustainable location'. I therefore find that the proposal does not meet the requirements of LP Policies SS1 and NBE1 (h).
10. Part (j) of NBE1 this policy also supports development in the countryside where it is 'located on suitable previously developed land appropriate for the proposed use'. As the existing building is used for office use and storage, the site is previously developed, however it is evident that despite some nearby residential properties, the appeal site is not residential in character and as set out above, I have found that the location is not appropriate for residential use. The proposal does not therefore meet the requirements of LP Policy NBE1 (j).

11. The appellant refers to an appeal decision<sup>2</sup> relating to a barn conversion/redevelopment in the open countryside. Whilst permission is granted for this scheme, I note the Inspector makes reference and gives weight to a prior approval fall-back position for a similar development. As such, I do not consider this example directly comparable to the scheme before me.
12. Although not referred to within the Council's decision notice, my attention has also been drawn to Policy GEN2 of the Hart District Local Plan (Replacement) 1996-2006 (SLP), which sets out that change of use of buildings would be permitted provided that neither the conversion nor its access and servicing arrangements are detrimental to the character or setting of the building or adjoining buildings. There is no dispute that the proposal would comply with this policy and there would be no material harm to the character and appearance of the surroundings. However, this does not outweigh the unsuitability of the location for a new dwelling with regards to lack of access to facilities and services and consequential reliance on the motor car.
13. In light of the foregoing, I conclude that the location of the appeal site is not suitable for a new dwelling. Therefore, there is conflict LP Policies NBE1 and SS1 and Policy 1 of the Crondall Neighbourhood Plan 2017 - 2032 (NP) which collectively seek to limit growth in the countryside to specific appropriate uses, and the sustainable development goals of LP Policy SD1 and the Framework.
14. The Council's decision notice refers to SLP Policy RUR 1 and GEN1. These policies define the areas covered by rural policies and set out general policy for development respectively. As such, these have limited relevance to the main issue.

#### *Sustainability Requirements*

15. LP Policy NBE9 requires proposals to demonstrate that they would reduce energy consumption through sustainable approaches to building design and incorporate renewable or low carbon energy technologies, where appropriate.
16. The appellant has set out that various renewable or low carbon energy technologies could be incorporated as part of the proposal. I see no reason why measures such as the solar panels or air source heat pump, as suggested by the appellant, could not be incorporated. In addition, whilst the existing roof partly compromises of metal sheeting, suitable insulation could be provided. In order to secure these measures, were I minded to allow the appeal, I find that further details of this nature could, if required, be secured by condition.
17. In addition, in order to meet the requirements of LP Policy NBE7, again, were I minded to allow the appeal, further details can be secured through a condition to secure appropriate water consumption.
18. Subject to the above conditions, I therefore find no conflict with the sustainable design and water use goals of LP Policies NBE9 and NBE7.

#### *Effect on Thames Basin Heaths SPA*

19. The appeal site is within the zone of the Bourley and Long Valley Site of Special Scientific Interest which forms part of the Thames Basin Heaths SPA. In combination with other plans and projects, the addition of a residential unit

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<sup>2</sup> Appeal reference APP/R3650/W/18/3210691

within this area would be likely to have a significant effect on the internationally important interest features of the SPA due to increased recreational disturbance.

20. In accordance with LP Policy NBE3, NP Policy 2d and SLP Policy NRM6, appropriate mitigation would need to be secured for such development. The appellant had initially indicated a willingness to provide a planning obligation to make a financial contribution toward what they considered to be appropriate mitigation as part of the appeal. However, it was subsequently confirmed that no such agreement or mechanism is now being progressed.
21. As I am dismissing the appeal for other reasons, I am not pursuing this matter further because it could not lead me to a different decision.

### **Other Matters**

22. The development would result in a small economic benefit during construction and a small, sustained benefit to the local economy once occupied. It would contribute to boosting the supply of housing partly utilise an existing building. However, even if I were to accept the appellant's argument that more windfall sites are likely to be needed to meet housing targets, I have concluded that the appeal site isn't a suitable windfall location. In any case, the provision of a single additional dwelling would be a limited social benefit attracting limited weight in favour of the scheme.
23. The modest benefit of one dwelling would be significantly and demonstrably outweighed by the inappropriate location of the dwelling and by the potential threat to the integrity of the SPA.

### **Conclusion**

24. There are no material considerations that indicate the development should be determined other than in accordance with the development plan. For the reasons given above and having regard to all other matters raised, the appeal is dismissed.

*B Phillips*

INSPECTOR