



Appeal Decision

Site visit made on 6 February 2024

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2024

Appeal Ref: APP/N1730/W/23/3328465

**1 Crondall Heights, Farnham Road, Ewshot, Farnham, Hampshire
GU10 5AY**

- 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 and Mrs M O'Donnell against the decision of Hart District Council.
 - The application Ref 22/02847/FUL, dated 24 November 2022, was refused by notice dated 24 March 2023.
 - The development proposed is change of use of land from agricultural to residential and the erection of two outbuildings.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of land from agricultural to residential and the erection of two outbuildings at 1 Crondall Heights, Farnham Road, Ewshot, Farnham, Hampshire GU10 5AY in accordance with the terms of the application, Ref 22/02847/FUL, dated 24 November 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: BA 0214 06 A - Block Plan; BA 0214 07 A - Location Plan; BA 0214 08 – Existing Location Plan; BA 0214 10 – Extg Plans and Elevations.
 - 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected on the site.

Preliminary Matters

2. The land was already in use as a domestic garden, and the buildings were complete at the time of my visit. I am therefore dealing with the appeal retrospectively.
3. During the appeal, on 19 and 20 December 2023, the Government published its revised National Planning Policy Framework (the Framework). The revisions to the national advice do not have a material bearing on the matters at dispute between the parties in this case. Consequently, I have not found it necessary, in the interests of natural justice, to seek further written comments, and neither party would be prejudiced by my consideration of the revised advice in my determination of the appeal.

Main Issue

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

Reasons

5. The appeal property is one of a small group of houses that is surrounded by open countryside. The dwellings face onto a central circular access drive, and their rear gardens radiate out towards the rural landscape beyond. To the rear of No 1, there is a formal garden, comprising a patio, a lawn, terraces, and ornamental planting beds. There is a range of domestic outbuildings in this area, including the two that are subject of this appeal. The land beyond, to the southwest, is undeveloped grassland that has recently been planted with trees. There is no physical barrier separating the formal garden area from the surrounding countryside, so the transition from domestic use to the open landscape beyond is somewhat indistinct.
6. The evidence indicates that permission for the houses was allowed as an appropriate replacement for a farmstead, resulting in an overall reduction in built form. The extent of the land dedicated to the approved dwellings closely matched the outline of the previously developed area. The Council has not contested the appellants' evidence showing the relative extents of the land that was originally permitted within the residential use for No 1, and that now proposed. This evidence shows that the two outbuildings, and parts of the existing formal garden, lie outside the originally approved residential area. The residential area now proposed would closely follow the extent of the existing formal garden and outbuildings, but would exclude a triangular area of land that was originally included. As a result, the area of residential use would increase from 1,966 square metres to 2,034 square metres. A net increase of 68 square metres.
7. The approved extent of the residential area does not relate to any remaining physical features on the ground. Consequently, it is an arbitrary line, and the modest increase in area proposed would not be readily identifiable. I am mindful of the Council's concern about the potential spread of domestic paraphernalia into the countryside, but the area of land now proposed is not significantly greater than that originally approved. Furthermore, its extent aligns more logically with the existing dwelling, so any domestic features within this area would have a close visual relationship with the building. Conversely, domestic items in the triangular area that is now omitted would be further from the dwelling, so would be more likely to appear as an encroachment into the countryside. Consequently, although a little larger, the revised shape of the residential area would not result in an increase in visual intrusion into the landscape.
8. In arriving at this conclusion, I have had regard to an appeal decision¹ relating to an earlier proposal to extend the residential area, which was dismissed because the Inspector concluded it would harm the character and appearance of the area. Although I do not have all the details of that proposal before me, the evidence indicates that it was for a much more extensive area, and included some reprofiling of the gently sloping land. In contrast, the proposal before me only relates to a minor increase in the residential area, which would

¹ Appeal Decision APP/N1730/W/21/3282415

not be easily discerned. I also acknowledge that the approved residential area would provide a good level of outdoor amenity for occupants of the dwelling, so there is not a need to enlarge it. However, in the absence of any harm resulting from the proposal, it is not necessary for the appellants to demonstrate any overriding justification.

9. The two outbuildings that are part of this appeal comprise a greenhouse and a shed/store. They both lie just outside the originally approved residential area, but within the area subject to this appeal. In either case, they occupy a position in the countryside where Policy NBE1 of the Hart Local Plan (Strategy & Sites) 2032 (the Local Plan) only supports development that falls into specified criteria. The Council does not contest that the buildings would comprise extensions to an existing dwelling, so would fall within criterion g). Nevertheless, Policies NBE2 and NBE9 of the Local Plan seek to protect the landscape, and to secure high quality design. Policy GEN1 of the Hart Local Plan (Replacement) 1996 – 2006 Saved Policies (the Saved Policies) seeks, amongst other things, to ensure that development proposals are in keeping with local character.
10. Both buildings have been designed and constructed to a high standard, in materials that respond well to their rural setting. The shed/store is timber clad with a slate roof, whilst the greenhouse has a stone base with a visually recessive grey/green coloured frame. They are of modest scale and height, and reflect the simple agricultural style of the housing group that they sit alongside. They therefore accord with criterion a) of Policy NBE9 and criterion (i) of Policy GEN1.
11. The extended residential area and the buildings are only readily visible, at some distance, from a public footpath which crosses the field to the southwest. From here the formal garden area is seen in close association with the house, so does not appear to encroach into the open countryside that slopes down to the footpath. At this distance, the alteration to the alignment and extent of the residential area, as proposed, would not be easily discerned, so would not have any noticeable impact on the landscape.
12. The greenhouse and shed/store are seen as part of a tight cluster of buildings, comprising Longlees Farmhouse and Nos 1 and 2 Crondall Heights. The outbuildings are viewed against the backdrop of the much larger houses, so are not prominent features in the landscape. From the stile at the most southerly part of the field, the shed/store does project a little beyond the envelope of the existing buildings, but not to the extent that it becomes visually detached from the group. It does not, therefore, appear to encroach into the countryside to any significant degree. Consequently, the extended residential area and the outbuildings both respect views into the site from the footpath in accordance with criterion d) of Policy NBE9.
13. In summary, neither the extended garden or the outbuildings harm the character and appearance of the area. Consequently, the proposal accords with Policies NBE2 and NBE9 of the Local Plan and Policy GEN1 of the Saved Policies. Taken together, these policies seek to ensure that development proposals are of high-quality design, respect the landscape, and are in keeping with local character. The development also accords with the Framework's aim to conserve and enhance the natural environment.

Conditions

14. As the use has already commenced and the buildings have been completed, it is not necessary to impose a condition limiting the period within which the development must be implemented. I have, however, imposed a condition specifying the relevant plans, as this provides certainty.
15. In order to maintain the gentle transition between the formal garden and the open countryside beyond, I agree that the Council's suggested condition removing permitted development rights for means of enclosure is necessary and reasonable.

Conclusion

16. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR