

Appeal Decision

Site visit made on 6 February 2024

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL
an Inspector appointed by the Secretary of State

Decision date: 23 February 2024

Appeal Reference: APP/R3650/D/23/3330272
Bramwell House, Monks Walk, Farnham GU9 8HT

- 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 A. James against the decision of Waverley Borough Council.
 - The application (reference WA/2023/00112, dated 16 January 2023) was refused by notice dated 31 July 2023.
 - The development proposed is described in the application form as: "erection of single storey side extension and part single part two storey rear extension".
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Decision

1. The appeal is allowed and planning permission is granted for "erection of single storey side extension and part single part two storey rear extension", at 'Bramwell House', Monks Walk, Farnham GU9 8HT, in accordance with the terms of the application (reference WA/2023/00112, dated 16 January 2023), subject to the conditions set out in the attached Schedule of Conditions.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on nearby trees and woodland.

Reasons

3. The appeal site is located at the junction of Monks Walk and Tilford Road, near the edge of the built up area of Farnham. The house at 'Bramwell House' is a substantial dwelling in a traditional design, standing in extensive grounds that are mainly laid to grass, to the north of the junction. Within the grounds, there are various domestic outbuildings and structures in addition to the house, while a separate "meeting room" is located on land to the north, with a linking pedestrian path.
4. The grounds are carefully maintained, with laurel hedges defining areas of grass, and they include an area of woodland with numerous mature trees. Two substantial outbuildings stand between the house and the woodland area that is located to the south-east of the house, between that and Tilford Road. This woodland area covers some very uneven land, where the ground level falls away in a deep hollow below the level of the house. This part of the woodland

- is identified as an area of "Ancient Woodland" but the nearest trees to the house appear not to be "veteran trees".
5. It is now proposed to construct extensions to the house, with the main alterations on the south-west and south-east elevations, nearer to the trees and woodland referred to.
 6. The 'National Planning Policy Framework' emphasises the importance of natural habitats and biodiversity and lays special emphasis on protecting irreplaceable habitats such as ancient woodland and ancient or veteran trees.
 7. Policies in the Development Plan also identify these planning objectives. Attention has been drawn to Policies NE1 and NE2 of the 'Waverley Borough Local Plan Part 1: Strategic Policies and Sites' (dated February 2018) and to Policy DM11 of the 'Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies' (dated March 2023). Policy DM11 focusses specifically on the protection of existing woodland and important trees and hedgerows.
 8. Other Policies aimed at achieving good design and protecting local character and natural beauty are also relevant, of course, including Policies in the 'Farnham Neighbourhood Plan 2013-2032'.
 9. Helpful general advice has also been provided by the Forestry Commission, in response to the planning application, specifically relating to ancient woodland and ancient or veteran trees.
 10. The proposed extensions would be constructed in a traditional style, in keeping with the existing house and the surroundings. The construction would not be excessive in scale, and it would not be objectionable in principle. The extensions would encroach into the open space to the south-east of the house, which is bounded by a laurel hedge and a belt of trees.
 11. This open area is mainly laid to grass, with two substantial outbuildings set apart from the house. At the edge of the space, beyond the outbuildings, the land falls away sharply and is set with a number of trees, forming an area of woodland. The woodland is evidently used as part of the garden, however, with some play equipment within it.
 12. Some of the plans submitted in the appeal do not accurately delineate the extent of the woodland in the vicinity of the house, since the laurel hedge and the crest of the bank are more closely associated with the woodland edge in reality. Moreover, while the nearest significant trees to the house are mature and sound, they are not veteran trees of very great age.
 13. Bearing in mind the distance of the nearest trees from the proposed extensions and the character of the trees, I am convinced that they would not be adversely affected by the new construction, even though the works would encroach into the "buffer zone" that has been identified. The "ancient woodland" designation has been acknowledged by the parties, as such, but an inspection of the site shows that such a notional designation (and "buffer zone") ought to be considered in the light of physical features as they appear on the ground.

14. Hence, I am convinced that the proposed extensions would not amount to development resulting in the loss or deterioration of ancient woodland or of ancient or veteran trees. The proposals would not diminish biodiversity and would not harm the visual amenity and character of the area. I am persuaded, therefore, that the project would be in accordance with the Development Plan as a whole and that it would not conflict with the 'National Planning Policy Framework'.
15. In short, I am convinced that the scheme before me can properly be permitted and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
16. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of those suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). In particular, I have concluded that conditions are necessary to define the planning permission and to ensure that quality is maintained.
17. Additional conditions are also necessary, as indicated by the Council, to ensure that certain mitigation measures are implemented and adhered to, in accordance with reports that were submitted by the applicant in support of the planning application.

Roger C. Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - Drawing number 946-E-401 (Proposed Plans);
 - Drawing number 946-E-402 (Proposed Elevations);
 - Site Location Plan (Ordnance Survey) (1:1250 @ A4);
 - Block Plan;
 - Ground Floor Plan (proposed);
 - West Elevation (proposed);
 - North Elevation (proposed);
 - Topographic Survey.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
4. The submitted Arboriculture Method Statement and scaled Tree Protection Plan (provided by Sapling Arboriculture Ltd, dated 13/06/2023, reference J1420.02) shall be adhered to throughout the development process.
5. The Local Authority shall be provided with a minimum of two weeks written notice prior to expected commencement of demolition or construction activities. The written notice shall include visual physical evidence of ground and fence protection with associated Tree Protection Area signage with Bird Scare tags. The ground and fence protection shall be located in accordance with the Arboriculture Method Statement and Tree Protection Plan.
6. The development hereby approved shall be implemented entirely in accordance with the impact avoidance, mitigation, compensation and enhancement measures set out in the Bat Survey (prepared by Ethos Environmental Planning, dated 13/06/2023) that was submitted with the planning application.