



Appeal Decision

Site visit made on 28 May 2024

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 June 2024

Appeal Ref: APP/R3650/W/23/3324957

Hill Farm Barn Highfield Lane, Thursley, Godalming GU8 6QQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Michael Spencer against the decision of Waverley Borough Council.
 - The application Ref is WA/2022/03155.
 - The development proposed is extensions and alterations to the existing garage.
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Decision

1. The appeal is allowed and planning permission is granted for extensions and alterations to the existing garage at Hill Farm Barn Highfield Lane, Thursley, Godalming GU8 6QQ in accordance with the terms of the application, Ref WA/2022/03155, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1595/P-101 and 1595/S-101.
 - 3) Samples and specifications of external materials and surface finishes shall be submitted to and approved in writing by the Local Planning Authority before the relevant works begin. The relevant works shall then be carried out in accordance with the approved details.
 - 4) The development hereby permitted shall be carried out in full accordance with the Arboricultural Method Statement and scaled Tree Protection Plan within the Arboriculture Impact Assessment (ref. MW.2306.HFBT.AIA dated 12 June 2023) which shall be adhered to throughout the development.
 - 5) The development hereby permitted shall be carried out in full accordance with the impact avoidance, mitigation, compensation and enhancement measures set out in the Preliminary Roost Assessment Survey (ref. Arbtech Consulting Ltd dated 11 September 2021).

Application for Costs

2. An application for costs was made by Michael Spencer against Waverley Borough Council. This application is the subject of a separate Decision.

Preliminary Matter

3. The Council's officer report indicated that the appeal site was located in the Green Belt outside of a defined settlement boundary. However, the Council confirms that this was an error and that the site is in fact within the defined

settlement boundary of Thursley. It advises that while Thursley is 'washed over' by Green Belt, provisions of Policy DM14 b) of the Local Plan Part 2: Site Allocations and Development Management Policies 2023 ('the LPP2') which relate specifically to development outside of defined settlement boundaries are not therefore relevant. I have considered the appeal on this basis.

Main Issues

4. The main issues are:

- i) whether or not the proposal would be inappropriate development in the Green Belt; and
- ii) the effect of the proposal on trees.

Reasons

Whether Inappropriate Development

5. The appeal site includes a detached garage to the south of one of two linked barns which together form a dwelling known as 'Hill Farm Barn'. Adjoining the eastern boundary of the site and facing towards Hill Farm Barn is a further dwelling known as 'The Outbuilding'. The appeal proposes to extend the garage in order to provide additional storage and covered parking which would be accessed by an enlarged driveway. The development would serve both Hill Farm Barn and The Outbuilding.
6. The National Planning Policy Framework ('the Framework') states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is inappropriate in the Green Belt, although certain exceptions are specified. These include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; and limited infilling in villages. At the local level, Policy RE2 of the Local Plan Part 1: Strategic Policies and Sites 2018 ('the LPP1') states that the Green Belt will be protected against inappropriate development in accordance with the Framework. It outlines that proposals will be permitted where they do not conflict with the exceptions listed in national planning policy.
7. Limited infilling in villages is not defined within the Framework. Nor is it defined within Policy DM14 of the LPP2 which sets out that limited infilling within villages may be considered appropriate.
8. However, paragraph 3.26 of the supporting text to Policy DM14 does explain that *'limited infilling is considered to be the development of a small gap in an otherwise continuous built-up frontage, or the small-scale redevelopment of existing properties within such a frontage. It also includes infilling of small gaps within built development. It should be appropriate to the scale of the locality and not have an adverse impact on the character of the countryside or the local environment'*.
9. There is now no dispute between the main parties that the appeal site is within the Thursley village boundary. The site forms part of the space that separates Hill Farm Barn from the neighbouring dwelling at Copper Beeches. I saw that the distance between these dwellings is fairly generous, but it is not unduly large in the context of other nearby development in Thursley where buildings are typically set within spacious surroundings. Furthermore, The Outbuilding

may be set further back from Highfield Lane than the appeal building, but it is still apparent as a fairly large structure sitting between Hill Farm Barn and the plot of Copper Beeches.

10. The Council asserts that the site is not part of a continuous built-up frontage. Nevertheless, it is effectively surrounded by development as it sits broadly between Hill Farm Barn, The Outbuilding, Copper Beeches and Highfield Lane. Taking the above factors into account, I consider the appeal site would reasonably be described as a small gap within built development.
11. In terms of whether the proposal would comprise infilling, or more particularly 'limited infilling', of this gap, there is dispute between the main parties over whether the extension would be disproportionate to the host garage. However, based on my observations, the resulting building would remain of plainly smaller overall scale than each of Hill Farm Barn, Copper Beeches and The Outbuilding. It would further occupy a limited extent of the appeal site and an even smaller proportion of the land associated with Hill Farm Barn and The Outbuilding as shown within the blue line on the submitted plans.
12. Moreover, the extension would be lower, albeit minimally, than the existing garage and would be set back relative to the front and rear elevations of the host building. There would be a significant increase in the width of the existing building, but the additional width would be broadly in line with the side of Copper Beeches which I have already noted is of greater overall scale. Although there is significant vegetation coverage along the boundary with Copper Beeches, the extension would largely sit against a backdrop of surrounding existing development. These factors would reduce its visual impact, and it would not extend notably beyond the existing extent of surrounding buildings such that I find it would be appreciated as limited infilling.
13. Furthermore, the Council does not object to the effect of the proposal on the Surrey Hills National Landscape ('the NL') (formerly known as the Surrey Hills Area of Outstanding Natural Beauty), the Thursley Conservation Area ('the CA') or nearby listed buildings and based on my observations at my visit and the evidence before me, I find that it would be sympathetic to these assets. I am satisfied that the development would be appropriate to the scale of the locality and that it would not have an adverse impact on the character of the countryside or the local environment.
14. Taking the above into account, I find that the proposal would accord with the guidance at paragraph 3.26 of the supporting text to LPP2 Policy DM14 on what would be considered limited infilling. In my assessment, it would therefore represent limited infilling in a village which Policy DM14 states may be considered appropriate and it would comprise an exception to inappropriate development under the terms of the Framework. This would be the case even if I were to accept the Council's argument that the proposal would amount to disproportionate additions to the original building and so would fail to meet the exception relating to the extension or alteration of a building.
15. I therefore conclude that the proposal comprises an exception to inappropriate development within the Green Belt and it would accordingly comply with the Framework and Policy RE2 of the LPP1. As an exception to inappropriate development within the Green Belt, the proposal should further not be regarded as harmful to the openness or purposes of Green Belt.

Trees

16. The boundary to the rear of the appeal building is well-vegetated and includes a number of mature trees which are appreciable from Highfield Lane. Together with other trees on and around the site, these make a positive contribution to the character and appearance of the area including the Thursley CA.
17. An Arboricultural Impact Assessment ('AIA') was submitted with the appeal detailing trees around the site and measures that would be implemented as part of the development to protect them. Subject to a suggested condition to require adherence to the identified measures, the Council is now satisfied that trees would not be adversely affected by the proposal. From the information before me, I agree.
18. I therefore conclude that trees would not be harmed by the proposal. Accordingly, I find no conflict with requirements within Policies NE2 of the LPP1 or DM11 of the LPP2 broadly seeking the maintenance and enhancement of trees, including through adequate protection as part of development. Furthermore, the contribution that trees around the site make to the character and appearance of the area, including the Thursley CA, would be preserved.

Other Matters

19. Hill Farm Barn incorporates two Grade II listed buildings; 'Barn 5 Metres South of Hill Farm House' and 'Barn 20 Metres South East of Hill Farm House' and the evidence of the main parties indicates that the appeal building is to be treated as part of the listed building by virtue of falling within the curtilage. In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the LBCA'), I have had special regard to the desirability of preserving the listed buildings or their setting or any features of special architectural or historic interest which they possess.
20. The principal listed barns date from the 16th and 17th Century and both include timber frames with Queen post roof structures, plain tiled roofs and weatherboard exteriors. Although in residential use, they remain legible as former agricultural buildings which are part of a group. From the information before me, much of their special interest and significance derives from this legibility along with the intrinsic architectural and historic interest of the buildings themselves. The appeal building has been present on the site since at least the late 19th Century. Insofar as it relates to this appeal, I consider the special interest of the appeal building to be primarily associated with its traditional materials and form, presenting as a subordinate structure which complements the principal barns and the rural character of the historic agricultural cluster.
21. The proposal would not result in any significant loss of historic fabric. It would notably enlarge the appeal building, but would mostly sit on the footprint of a former lean-to, albeit that its height and overall scale would be much larger than this structure. The design and materials would complement the host building as well as Hill Farm Barn and despite the increase in scale, I consider that it would remain clearly subordinate to the principal listed buildings. Furthermore, the appeal building is positioned some way south of Hill Farm Barn beyond The Outbuilding, and it would not intrude on any important views of the principal listed barns. Given these factors, I agree with the Council that the special interest and significance of listed buildings would be preserved.

22. Given the location of the site within the Thursley CA, section 72(1) of the LBCA is also relevant and requires special attention be paid to the desirability of preserving or enhancing the character or appearance of the CA. There is some variety in the scale and detailing of buildings within the CA, but most are well-preserved and are of traditional form and designs. The buildings typically sit within spacious surroundings in an irregular layout around narrow, often hedgerow lined, streets with further extensive mature vegetation within gardens and marking boundaries. These factors provide for an attractive and distinctly rural quality which contributes positively to the character and appearance of the CA as a whole.
23. I have found above that trees would not be harmed by the proposal. Noting also the extent and location of the proposal within surrounding development as well as its sympathetic form and materials, I am satisfied that it would not erode the rural quality of the area and I find that the character and appearance of the CA as a whole would be preserved.
24. For the reasons above and bearing in mind surrounding vegetation that would further screen the development, I agree with the Council that the proposal would not be overly dominant and nor would it harm landscape character. As a result and mindful of the duty under section 85 of the Countryside and Rights of Way Act 2000 (as amended) to seek to further the purpose of conserving and enhancing the natural beauty of Areas of Outstanding Natural Beauty (now National Landscapes), I find that the natural beauty of the Surrey Hills NL would be conserved.

Conditions

25. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans for the avoidance of doubt and in the interest of certainty. Conditions requiring adherence to the AIA and details of materials are necessary in the interests of the character and appearance of the area and heritage assets while a condition requiring implementation of measures identified in a Preliminary Roost Assessment Survey is necessary to safeguard biodiversity and ecology. I have made minor amendments to some of the Council's suggested conditions for the sake of consistency or clarity.
26. Any material change of use of the building would require a separate grant of planning permission and I am not persuaded that a potential condition referred to by the Parish Council to restrict use of the upper level of the building to storage would be necessary or reasonable. I have not therefore imposed it.

Conclusion

27. For the reasons given above, I find that the proposal would accord with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be allowed.

J Bowyer

INSPECTOR