



Appeal Decision

Site visit made on 19 June 2024

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 July 2024

Appeal Ref: APP/R3650/W/24/3336429

Barnett Farm, Norley Lane, Shamley Green, Guildford, Surrey GU5 0TP

- 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 Mr K Whybrow against the decision of Waverley Borough Council.
 - The application Ref is WA/2023/01290.
 - The development proposed is Conversion of barn to one residential dwelling with associated garden, bicycle store and parking; provision of a passing place on existing access road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The main parties have agreed that the proposal would not represent inappropriate development in the Green Belt as defined by the National Planning Policy Framework (2023) (Framework), Policy RE2 of the Waverley Borough Local Plan Part 1 (2018) (LPP1) and Policy DM14 of the Waverley Borough Local Plan Part 2 (2023) (LPP2). I am not provided with detailed evidence that would lead me to conclude otherwise.

Main Issue

3. The main issue is whether the site is suitable for the proposed development, having regard to its accessibility to services and facilities.

Reasons

4. Barnett Farm is located around 1.6km from Shamley Green village centre, where there are facilities including a shop, post office, church and pub. Policy SP2 of LPP1 allows limited development around Shamley Green.
5. Access between the village and the appeal site is via Lordshill Road, which is a narrow road subject to the national speed limit with no pavements or street lighting in both directions from the access to the property. There is also a public right of way 150m away which provides a more direct route to the village. However, this is similarly unlit but also unpaved and includes stiles and gates. The nearest bus stops and the national cycle network are accessed along these routes.
6. I have been provided with images of people walking along these roads, and I understand that they are lightly trafficked. Accident data shows that there have been no personal injuries nearby in the past 5 years. However, whilst the distance is below that which might be considered a reasonable walking or

cycling distance, given the lack of lighting or footpaths this would not represent an attractive or safe walking or cycling route particularly for those with mobility issues, young children and after dark. Furthermore, given these limitations, the lack of accidents does not satisfy me that the route is well used or safe for year round pedestrian access to day to day facilities,.

7. Opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, for the reasons explained above the occupiers of the proposed dwelling are likely to be heavily car dependent with very limited suitable sustainable transport options. Consequently, future occupiers would not enhance or maintain the viability of this rural community. Therefore, there would be significant harm in this regard.
8. The Council has permitted some developments where access to the nearest settlement is not along roads with footways¹. Appeal decisions² have also been provided where development has not been permitted where access was found to be unacceptable. These sites are generally not close to the appeal site and vary in their distance and accessibility to their nearest settlements and therefore they are not directly comparable to the scheme before me now. As such they do not alter my conclusion.
9. Therefore, the site would not be suitable for the proposed development, having regard to its accessibility to services and facilities. Therefore, in this regard, it would be contrary to Policy ST1 of the LPP1 and Policy DM15 of the LPP2. Together these require that development is located where opportunities for sustainable transport modes can be maximised and that in rural areas development should not be isolated from everyday services and facilities and avoid dependency on private vehicles.
10. Policy SP2 of the LPP1 sets a high level spatial strategy for the borough. Therefore, the policies set out above are more relevant to the main issue of accessibility.

Planning Balance

11. The Council cannot demonstrate a 4 or 5 year housing land supply. It is stated that there is between 3.5 and 3.89 years supply of deliverable housing sites. Therefore paragraph 11(d) of the Framework is engaged which requires that planning permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development, when assessed against the policies within the Framework taken as a whole.
12. The proposed development would reuse an existing building to provide a single new dwelling along with the social and economic benefits of this. This would support the government's target to significantly boost the supply of homes. However, it is not located within any defined settlement for the purposes of the development plan and therefore, I find that paragraph 124c of the Framework would not apply. Ecological enhancements would also be secured by condition and would provide a net gain for biodiversity. However, taking into account the scale of the development, these would be important but modest benefits. The

¹ Spring House WA/2022/01691, Dene End Farm WA/2021/02957, Furze Hills WA/2000/1786, Brookhurst Grange WA/2021/0112

² Withybush Farm APP/R3650/W/23/3327843 and APP/R3650/W/23/3335854, Sedgheurst, APP/R3650/W/23/3326981

proposed development would not be an isolated dwelling in terms of paragraph 84 of the Framework, and therefore these provisions would not be relevant.

13. On the other hand, the proposed development would result on reliance on the private car so would not enhance and maintain the vitality of this rural community. It would not promote sustainable transport modes, and this harm would be significant.
14. As such, even taking into account the smallest figure for the supply of deliverable housing sites, these significant adverse effects would significantly and demonstrably outweigh the modest benefits set out above. Therefore, the presumption in favour of sustainable development would not apply in this case.

Conclusion

15. The proposal would not accord with the development plan and there are no other considerations including the Framework to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that this appeal should be dismissed.

H Miles

INSPECTOR