



Appeal Decisions

Site visit made on 28 June 2024

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2024

Appeal A Ref: APP/R3650/W/23/3334588

Wynchfield, Pickhurst Road, Chiddingfold, Godalming, Surrey GU8 4TG

- 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 G Heilpern against the decision of Waverley Borough Council.
 - The application Ref is WA/2023/01089.
 - The development proposed is described as alterations to existing ancillary barn, replacement of existing stables with single storey extension and change of use to a two bedroom dwelling.
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Appeal B Ref: APP/R3650/Y/23/3334591

Wynchfield, Pickhurst Road, Chiddingfold, Godalming, Surrey GU8 4TG

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr G Heilpern against the decision of Waverley Borough Council.
 - The application Ref is WA/2023/01090.
 - The works proposed are described as alterations to existing ancillary barn, replacement of existing stables with single storey extension and change of use to a two bedroom dwelling.
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Decision

Appeal A Ref: APP/R3650/W/23/3334588

1. The appeal is dismissed.

Appeal B Ref: APP/R3650/Y/23/3334591

2. The appeal is dismissed.

Procedural Matters

3. For clarity both Appeal A and Appeal B refer to the same proposed scheme. As such in this decision I have referred to them jointly unless specified otherwise.
4. The appeal submission included an amended plan¹ which moved the location of the wall that separated the barn from Wynchfield, moved the cycle and refuse storage and extended the amount of hardstanding between the properties. This is a quantum of change which were I to take account would be at risk of disadvantaging interested parties. I have therefore determined the appeal based on the plans that were considered by the Council when it determined the application.

¹ Plan reference 2112WY_R3_001 R.3

5. However, the submission also included a Preliminary Roost Assessment² (PRA) dated 4 December 2023. As this does not alter the proposal, is required as a direct result for one of the reasons for refusal and the Council have had an opportunity to comment, I have taken this into consideration.

Main Issues

6. The main issues are:

- whether the appeal site is a suitable location for the proposed development having regard to relevant policies relating to the countryside and accessibility;

and whether the proposal would:

- preserve the Grade II listed building known as the Barn 10 yards southwest of Wynchfield (Ref: 104460) (the LB), its setting, and any of the features of special architectural or historic interest that it possesses, along with the setting of the Grade II listed building known as Wynchfield (Ref: 1248254), and the 'curtilage listed' cowshed;
- provide acceptable living conditions for future occupiers with specific regard to privacy; and
- affect protected species.

Reasons

Location

7. The main parties agree the appeal site is within the countryside beyond any defined rural settlement area. Policy SP2 of the Local Plan Part 1 (LP1) is a spatial policy and seeks to guide development around existing settlements and villages, and sites allocated within neighbourhood plans or the Local Plan Part 2 (LP2). The appeal site does not fall into any of these categories.
8. However, LP2 Policy DM15 seeks to guide development in rural areas requiring, amongst other things, that it is not isolated from everyday services and facilities and avoids dependency on private vehicles.
9. The appellant states the appeal site has good access to cycling routes and footpaths and it is acknowledged that for recreational purposes this is an advantage. However, for day to day living it would be necessary for future occupants to travel to the village of Chiddingfold. The appellant concedes that public transport opportunities are limited, and that the village is approximately 20 minutes walk away. This would be along narrow and winding country lanes, which are unlit and do not have footpaths or verges where pedestrians or cyclists could seek refuge from oncoming vehicles.
10. Consequently, and taking account of those with limited mobility or young children, I do not find this a convenient or necessarily safe form of access. So, it is highly likely future occupants would be largely dependent on private vehicles to access services and facilities. Therefore, the proposal would fail to accord with LP2 Policy DM15.

² Document reference LLD2586-ECO-REP-004-00-PRA

11. Accordingly, the appeal site would not be a suitable location for the proposed development having regard to LP1 Policy SP2 and LP2 Policy DM15.
12. It is noted that the appellant has referred to Policy RD7 which is from the Waverley Borough Local Plan 2002. The Council have confirmed this document has been superseded by LP1 and LP2 so no longer forms part of the development plan. Accordingly, it has not been determinative in my decision.

Heritage

13. As the proposal relates to listed buildings, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
14. It is noteworthy that the LB is likely 17th century in age and has been relocated to its current site. This relocation forms part of the historical interest of both the LB and Wynchfield, as it demonstrates the progression and development of the small farmstead these buildings are part of.
15. Wynchfield is a 16th century farmhouse which although over time has been amended and altered remains a good example of regional vernacular construction. Mapping from the 19th century³ first shows the erection of the cowshed to one side at the rear of Wynchfield. The Council consider it 'curtilage listed' by dint of its age and location within the curtilage of Wynchfield. This has not been disputed by the appellant and there is nothing before me to conclude otherwise.
16. The LB was erected shortly after the cowshed thereby creating the small farmyard which completes the farmstead. To the side of the LB is a stable block which was constructed considerably later. However, as it is a similar style and uses similar materials to the LB and cowshed, it does not detract from the overall setting.
17. With Wynchfield having a slightly elevated position to the farmyard and associated buildings the traditional hierarchy between residential and agricultural buildings is retained. The direct access between Wynchfield and the farmyard is maintained, and there is an open aspect to the farmyard with a pond to one side and views out towards the now gardens and paddocks, beyond.
18. The relationship between the buildings, farmyard and wider countryside strongly informs the significance of the LB, Wynchfield and the cowshed. Therefore, that this layout is still clearly legible and has not been substantially altered by the repurposing of the LB and cowshed for domestic uses is important.
19. The proposal would create a separate dwelling in the LB. As such it is proposed that a 1.8m wall and wooden storage enclosure would be erected between the LB and Wynchfield, which would then be reduced to a lower wooden fence and hedging. Which would create a solid barrier which would permanently subdivide the existing farmyard and sever any visual or physical relationship between the LB, and Wynchfield and the cowshed. It would intrude into the setting of both the LB and Wynchfield and obscure the farmstead layout. This would be further exacerbated by the height of the wall as it would prevent any form of visual

³ As shown in the appellants Heritage Statement

connectivity between the two halves of the farmyard and severely reduce the spatial understanding and relationship between the LB and cowshed, and how they relate to the wider farmstead.

20. It is acknowledged that within the appellant's Heritage Statement at paragraph 5.34, the proposed boundary wall, fence, and hedging are considered common in rural Surrey. However, it is important to note that they are traditionally used to delineate farmyards and fields, not bisect them. That the height of the proposed wall would screen the storage enclosure from the LB does not reduce the overall bulk, solid nature, and permanency the wall and enclosure would create in the middle of the farmyard.
21. Although it is accepted the LB is currently in residential use, the proposal would also require the removal of some fabric. This would be in the form of the moving of the store door, the removal of panels between the framework to install the proposed upper windows and the installation of a doorway into the proposed link to the extension. It is noted that there is inference that some of the fabric is not historic. Nevertheless, its removal would materially alter the LB and not constitute preservation.
22. Due to the age of the stables and the lack of relationship with the wider site, its replacement would have a neutral impact on the setting of the LB, as would the reopening of the thresher door. This is because although the opening would be better revealed its original use would not be more legible due to the proposed domestication of the opening with patio doors and curved steps.
23. Therefore, considering that the farmstead and farmyard is so instructive to the LB's setting, as well as that of the cowshed and Wynchfield, I find this would constitute less than substantial harm but at the higher end. Whilst the loss of historic fabric would also constitute less than substantial harm, this would be at the lower end. Nevertheless, as harm to heritage assets have been identified the proposal would fail to comply with LP1 Policy HA1, LP2 Policy DM20 and Policy BE6 of the Chiddingfold Neighbourhood Plan (NP) insofar as they seek to preserve, conserve, or enhance heritage assets.
24. As I have identified less than substantial harm, paragraph 208 of the National Planning Policy Framework (the Framework) advises that it is weighed against the public benefits of the scheme. I will go on to consider the relevant balancing exercise later in this decision.

Living conditions

25. Due to the physical interrelationship between Wynchfield and the LB there is potential of overlooking of the appeal site. This is from an upper bedroom window in Wynchfield and the main window in the cowshed, which is currently used for ancillary purposes related to Wynchfield.
26. The upper bedroom window would overlook the main entrance into the LB. However, this area of the appeal site would also be clearly visible from the shared parking area and access onto Pickhurst Road. Therefore, this window would not significantly impact the privacy of future occupants of the LB.
27. The cowshed window would face the garden area immediately to the rear of the LB. Although at a slightly higher level than the LB, the proposed boundary treatments and planting would largely screen any views from the cowshed. In combination with its use and the size of the proposed rear garden, I am

satisfied that the potential of overlooking would be limited. It would not, therefore, be so impacting as to make the use of the rear garden untenable or to reduce the privacy of the proposal to such an extent as to be detrimental to the living conditions of future occupiers.

28. The proposal would therefore comply with LP1 Policy TD1, LP2 Policy DM5, and NP Policy BE1 as far as they seek to protect the living conditions and the quality of life, health, and well-being of future residents.

Protected species

29. The LB and adjacent Wynchfield have been identified as providing roosting for bats, a protected species, and there is foraging habitat close to the site. The main parties agree that the assessment and subsequent mitigation required as a result of the proposals' impact on the LB would be appropriate and there is nothing before me to conclude otherwise.
30. However, the proposal would also impact trees within the appeal site which could provide roosting opportunities for bats. The submitted PRA states that the trees are not currently used for roosts and provides recommendations as to how to proceed so as not to harm any bats that may use the trees occasionally. I am satisfied that these details would adequately protect bats as a protected species, and it is noted that the Council's ecological consultant drew a similar conclusion on the information when it was submitted with a different application (WA/2023/02697).
31. The Council considers the submitted ecological information to be out of date. However, I am satisfied that the information is robust enough to provide a suitable baseline of assessment and mitigation and it is noted that the PRA is less than 1 year old. Therefore, in this instance an update could be conditioned.
32. Consequently, I find that the proposal would not prejudice protected species and could provide appropriate mitigation. The proposal would therefore comply with LP1 Policy NE1, LP2 Policy DM1 and NP Policy NE1 insofar as they seek to retain, protect, and enhance biodiversity.

Other Matters

33. That permission has subsequently been approved for alterations to the LB including an extension in place of the stable whilst retaining the ancillary use to Wynchfield is noted. However, I am bound to consider the scheme before me which includes the division of the farmstead to create a separate residential unit.

Planning and Heritage Balance

34. The main parties agree that the Council cannot demonstrate a 5-year housing land supply. As such paragraph 11(d) of the Framework is engaged.
35. The proposal would provide 1 additional dwelling reasonably quickly due to the small scale of the proposal. It is recognised that the Framework seeks to boost significantly the supply of housing and that small sites, including those in countryside locations in certain circumstances, can be important in meeting the housing requirements of the area. This, along with the very limited associated economic and social benefits a singular new dwelling can have, would

constitute the public benefits of the scheme. Nevertheless, due to the number of houses involved this would attract only limited weight.

36. That I have not found against Appeal A or Appeal B in relation to the third and fourth main issues, and no objections have been raised in relation to design and standards of accommodation, the living conditions of neighbouring occupants, access and parking, trees, climate change and sustainability. However, these would constitute a lack of harm, so cannot weigh for or against the proposal.
37. The appeal site has been in use as ancillary accommodation for Wynchfield for several years and this is likely to continue, as illustrated by the afore mentioned permission. Thus, I am satisfied that the LBs optimal viable use has already been secured and is not dependent on it becoming a separate dwelling.
38. Nevertheless, I have found less than substantial harm in relation to the significance of heritage assets, which in accordance with paragraph 205 of the Framework must attract great weight. Consequently, I do not find the public benefits would be sufficient to outweigh the harm caused. So, the proposal would fail to comply with the Act and paragraph 208 of the Framework.
39. Given that I have found the Framework's paragraph 208 balance is not satisfactorily achieved, even though paragraph 11(d) is engaged, in accordance with paragraph 11(d)(i), the application of policies in the Framework provides a clear reason to refuse permission.

Conclusion

40. For the reasons given above Appeal A and B would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. Appeal A and Appeal B are, therefore, dismissed.

RJ Redford

INSPECTOR