



Appeal Decision

Site visit made on 26 June 2024

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 August 2024

Appeal Ref: APP/R3650/W/23/3327447

Land adjacent to Summer Cottage, Greenhills Estate, Tilford Road, Farnham GU10 2DZ

- 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 L Trevellyan (Trevellyan Developments Ltd) against the decision of Waverley Borough Council.
 - The application Ref WA/2023/00801, dated 21 March 2023, was refused by notice dated 30 May 2023.
 - The development proposed is erection of a single storey detached dwelling following demolition of existing storage buildings.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey detached dwelling following demolition of existing storage buildings at Land adjacent to Summer Cottage, Greenhills Estate, Tilford Road, Farnham GU10 2DZ in accordance with the terms of the application, Ref WA/2023/00801, dated 21 March 2023, subject to the conditions in the attached Schedule.

Preliminary Matters

2. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales became "National Landscapes". However, the legal designation and policy status of these areas are unchanged, so I have therefore referred to the Surrey Hills National Landscape (SHNL) as the AONB where relevant.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt and its effect on the openness of the Green Belt and the purposes of including land within it. If the proposal would be inappropriate development, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal; and
 - The effect of the proposal on the character and appearance of the area, having particular regard to the landscape and scenic beauty of the Surrey Hills AONB and the Area of Great Landscape Value (AGLV).
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Reasons

Whether Inappropriate Development

4. The appeal relates to a site within Greenhills Estate, a large mixed-use commercial and residential estate. The site includes nine existing B8 storage structures, comprising a single large industrial style shed and eight smaller timber sheds. These buildings and their surrounding yard were granted a certificate of lawfulness for an existing storage use (Use Class B8) in November 2022. The timber sheds are arranged in a line to the north of the industrial style shed. The northern boundary to the site is formed by the garden wall to Greenhills House. Mature trees form the western boundary of the site, separating the site from a run of containers. There is a large bank of earth immediately to the south of the buildings that is overgrown with vegetation and separates the site from an access drive. The majority of large commercial buildings within the estate are located north-west of the site. The wider surrounding landscape is predominantly a mix of woodland and open fields, with the nearest public right of way located approximately 230m south-west of the site.
5. The National Planning Policy Framework (the Framework) advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework outlines that the construction of new buildings, other than in connection with a limited number of specific exceptions, should be regarded as inappropriate in the Green Belt (paragraph 154). One of the exceptions to this is limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on openness than the existing development (paragraph 154g).
6. Policy RE2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) (WBLP1) states that the Green Belt will be protected against inappropriate development in accordance with the Framework. Whilst not forming part of the Council's refusal reasons, Policy DM14 of the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies (2023) (WBLP2) states that the replacement of a building which results in the new building having a floorspace that is 10% or more larger than the building it replaced will normally be considered materially larger.
7. The council accepts that the site constitutes previously developed land (PDL) and I see no reason to disagree with that assessment. The Council advises that the demolition of existing buildings and construction of the proposal would represent a 1.5% increase in gross exterior floor area, and a 12.7% increase in terms of volume. These figures are broadly consistent with the appellant's calculations. As such, I am content to rely on them. Based on these figures, the proposed development would have a similar floorspace to that of the existing storage buildings. However, the effect on openness cannot be judged upon floorspace, volume, and mathematical calculations alone. Part d) of Policy DM14 goes on to advise that, whether a development preserves the openness of the Green Belt depends on a range of factors, including, the extent of existing development on the site, and the scale, mass, height, and volume of development which is proposed.
8. Consolidation of built form can result in greater harm to openness, particularly where the new building is higher, and where the visual prominence of the

original buildings is softened by their nestling into the landscape. In this case, however, the proposed dwelling would be only marginally higher in the landscape than the existing large industrial style shed. Furthermore, the linear layout of the existing timber sheds is urbanising in its arrangement rather than organic, representing urban sprawl within the Green Belt that is harmful to openness. The limited intervening landscaping between the sheds does not soften their visual impact on openness in any meaningful way.

9. The proposed dwelling would reduce the spread of built form across the site, resulting in a more compact and visually contained extent of development. The proposal would therefore reduce the urbanising sprawl of built form across the site. Consequently, despite the increased volume of the development, the proposal would not result in a greater impact on the openness of the Green Belt than the existing development, nor would it conflict with the purposes of the Green Belt. As such, the development would not be inappropriate development in the Green Belt and would accord with WBLP1 Policy RE2 and paragraph 154 of the Framework.
10. The Council's first refusal reason also cites WBLP2 Policy DM11 which relates to trees, woodland, hedgerows and landscaping. However, I have not been made aware of how the development would be in conflict with Policy DM11. Indeed, the officer report relied upon by the Council finds the proposal to accord with Policy DM11. As such, I have no substantive grounds on which to find any conflict with Policy DM11.

Character and Appearance

11. The site is located within the Surrey Hills AONB and the Framework requires that great weight should be given to conserving and enhancing the landscape and scenic beauty of the AONB.
12. The line of existing timber sheds on the site appear wholly incongruous with their surroundings, resulting in a visually cluttered site that detracts from the wider surrounding rural landscape character. Although the larger industrial style shed is of a modern utilitarian design that is relatively common within the British countryside, such buildings do not make a positive contribution to local distinctiveness. The larger shed, therefore, detracts from the wider rural landscape character due to its scale, generic utilitarian form and materials.
13. The proposed bungalow would be constructed utilising multiple gable roof structures, thereby breaking up its bulk and providing a low profile. The roof would be finished in clay tiles, with the walls being finished with timber cladding and natural stone. Whilst the dwelling would be of a modern style, its low profile, sensitive material finishes, and attractively balanced design, in combination with additional surrounding native landscaping, would ensure that the dwelling sits comfortably within its context at the intersection of existing built form and the surrounding fields and woodland.
14. For the above reasons, I concur with the Surrey Hills AONB Planning Adviser that the development would not harm the character or appearance of the AONB. Furthermore, the development would not harm the character or appearance of the Area of Great Landscape Value (AGLV). As such, the development accords with WBLP1 Policies RE3 and TD1, and WBLP2 Policies DM1 and DM4. Taken together these policies require development to, amongst other things, respond effectively to its surroundings,

reinforcing local distinctiveness and landscape character, whilst also protecting the character and qualities of the AONB and AGLV. The proposal would also recognise the intrinsic character and beauty of the countryside as required under paragraph 180(b) of the Framework.

Other Matters

15. Subsequent to the submission of the main parties' appeal statements, the appellant made late submissions to the Inspectorate. Those late submissions provided details of a planning permission¹ for a dwelling on the site granted by the Council following their refusal of the current proposals. The Council were given an opportunity to comment on the appellant's late submissions. I have had regard to both the appellant's late submissions and the Council's comments on those submissions in reaching my decision.
16. Whilst the existing permission for a dwelling on the site represents a realistic fallback position, it is not determinative in my decision given I have found the current proposals to accord with local and national planning policy in their own right.

Conditions

17. In addition to the standard timescale condition (1), I have imposed a condition specifying the relevant plans as this provides certainty (2). To protect the character and appearance of the area, including the AONB, conditions securing appropriate finishing materials (3) and landscaping (6) are necessary. In order to preserve the openness of the Green Belt and to protect the character of the AONB, the removal of certain permitted development rights is necessary (14). A condition to secure the implementation of a Construction Management Statement is necessary in the interests of highway safety and to protect the amenities of nearby occupiers (4). In the interests of ecology, a condition ensuring appropriate enhancement of biodiversity is necessary (5).
18. In order to prevent increased risks of flooding, and in the interests of the principles of sustainable drainage, a condition is necessary to ensure the appropriate surface and foul water drainage of the site (7). In the interests of sustainable development, conditions securing an electric vehicle charging point (11), bicycle parking (9), appropriate waste and recycling (8), efficient water usage (12), and high speed broadband (13) are necessary. In the interests of the proper and efficient functioning of the highway, a condition securing vehicular parking is necessary (10).

Conclusion

19. The proposal would accord with the development plan when read as a whole. There are no other considerations that would lead me to depart from determining the appeal in accordance with the development plan. For the reasons above, the appeal is allowed subject to the conditions in the attached Schedule.

S D Castle

INSPECTOR

¹ LPA ref: WA/2023/01752

Schedule of Conditions attached to Appeal Decision
Appeal Ref: APP/R3650/W/23/3327447
Land adjacent to Summer Cottage, Greenhills Estate, Tilford Road,
Farnham GU10 2DZ

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 and details unless otherwise required by the conditions below:
 - 1074.23/OS-010 Site location plan @ 1:1250
 - 1074.23/OS-002 Site location plan @ 1:2500
 - 1074.23/P-01A Proposed site plan
 - 1074.23/P-02 Proposed plans and elevations
 - 1074.23/P-03 Proposed site plan with existing overlaid
 - 1074.23/P-04 Existing and proposed sections
 - 1074.23/P-103 Proposed Coloured Elevations
 - 1074.23/S-01 Existing site plan
 - 1074.23/S-02 Existing north east elevations
 - 1074.23/S-03 Existing elevations A and C
 - 1074.23/S-04 Existing elevations B
 - 1074.23/S-05 Existing floor plans
3. No development above ground floor slab level (excluding demolition) shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Prior to the commencement of development, a Construction Management Statement shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Statement shall include:
 - i. Construction working hours;
 - ii. Parking and turning facilities for vehicles of site operatives and visitors;
 - iii. Loading and unloading of materials;
 - iv. Storage of plant and materials used in constructing the development;
 - v. A scheme for recycling/disposing of waste resulting from construction works;
 - vi. Wheel washing facilities and/or other measures to prevent mud or other material emanating from the application site reaching the highway;
 - vii. Dust mitigation measures.

The development hereby permitted shall not be carried out otherwise than in accordance with the approved Construction Management Statement and the approved Construction Management Statement shall be maintained throughout the construction period.

5. No development above slab level shall begin until a detailed Biodiversity Enhancement Scheme, based upon the submitted Biodiversity and Ecology Checklist (dated 16 March 2023), has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme prior to the development hereby permitted being first occupied and the enhancements shall be retained thereafter.
6. No development above slab level (excluding demolition) shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - a) a statement setting out the design objectives and how these will be delivered;
 - b) soft landscape works including planting plans with written specifications (including cultivation and other operations associated with plant and grass establishment);
 - c) boundary treatments;
 - d) hard surfacing materials;
 - e) an implementation programme.

The landscaping works shall be carried out in accordance with the approved details.

7. No development above slab level (excluding demolition) shall begin until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved drainage plans prior to the development hereby permitted being first occupied.
8. No development above slab level (excluding demolition) shall commence on site until details of a domestic waste management scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - a) Home composting or similar facilities for the on-site treatment of kitchen and garden waste;
 - b) The storage and suitable screening of containers for waste and recycling materials.

The development shall be carried out in strict accordance with the approved domestic waste management scheme and it shall be subsequently maintained in accordance with the approved details thereafter.

9. The development hereby approved shall not be first occupied unless and until secure, covered facilities for the parking of bicycles have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking facilities shall be retained and maintained for their designated purpose.
10. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking areas shall be retained and maintained for its designated purpose.

11. The development hereby approved shall not be first occupied until a scheme for an electric vehicle charging point has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the dwelling being first occupied and shall thereafter be retained and maintained to the satisfaction of the Local Planning Authority.
12. Prior to the first occupation of the dwelling hereby granted permission, details shall be submitted to and be approved in writing by the Local Planning Authority to confirm that the dwelling has been completed to meet the requirement of 110 litres of water per person per day.
13. Prior to first occupation of the dwelling hereby granted permission, the dwelling shall have been provided with high speed broadband infrastructure in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), the following development shall not be undertaken on the site without express planning permission first being obtained from the Local Planning Authority:
 - extension to the dwelling;
 - free standing building within the curtilage of the dwelling;
 - addition or alteration to the roof;
 - hard surfacing;
 - dormer windows.