



Appeal Decision

Site visit made on 24 October 2024

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2024

Appeal Ref: APP/R3650/W/24/3336498

Plot 2, Reeds Road, Farnham GU10 2DL

- 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 Pam Plummer against the decision of Waverley Borough Council.
 - The application Ref is WA/2023/01217.
 - The development proposed was originally described as the conversion of the barn to form a single residential unit with parking for two cars.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. On the 30 July 2024, the Government published a Written Ministerial Statement and a list of proposed changes to the National Planning Policy Framework ("the Framework") for consultation. This consultation closed on the 24 September 2024. Some of these intentions and proposals centre on further boosting the delivery of housing. However, for the time being the exact details remain in draft and may be subject to change. They therefore carry limited weight in my consideration of this appeal.
3. On 22 November 2023, all designated Areas of Outstanding Natural Beauty ("AONBs") in England and Wales became "National Landscapes". AONBs have been renamed and rebranded as National Landscapes. I have therefore replaced references to AONBs to National Landscapes.

Main Issues

4. The main issues are:
 - Whether the site represents an appropriate location for the proposed development having regard to access to services and facilities;
 - The effect of the development on the openness of the Green Belt and whether it constitutes inappropriate development in the Green Belt, having regard to any relevant development plan policies and the Framework;
 - Whether the proposed development would conserve and enhance the landscape and scenic beauty of the Surrey Hills National Landscape ("the SHNL"); and

- If the development is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations that amount to the very special circumstances required to justify the development.

Reasons

Location

5. Policy SP2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018 ("the LPP1") seeks to focus development within the main settlements. However, it also allows limited levels of development in/around other villages such as the appeal site.
6. Policy DM15 of the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies 2023 ("the LPP2") states that, in rural areas, development should not be isolated from everyday services and facilities, while maximising opportunities for walking and cycling and seeking to avoid dependency on private vehicles, taking account of the nature and functional needs of forms of development which are acceptable in rural areas.
7. There is no definition of what would comprise everyday services or facilities before me. I have therefore considered the appeal on its own merits having regard to the submitted evidence. The appeal site is located within a rural area outside of a defined settlement. The local area comprises woodland, fields, and a scattering of development. In terms of local services and facilities, there is a garden centre which offers a café/restaurant with further food shopping located approximately 850m¹ away from the appeal site. Additionally, there is a Rural Life Centre which also has a café, and a commercial site known as 'Pierrepoint Farm' beyond the garden centre.
8. It is conceivable that future occupiers may walk or cycle to these facilities given the relative distances alongside the straight and level nature of the highway. However, The Reeds Road comprises considerable sections of unlit carriageway with no pavements on either side. While a snapshot in time, during my site visit I noted the road was reasonably trafficked. Rights of way / public footpaths are also unlit over unmade surfaces. These features would suppress the attractiveness to regularly walk or cycle to local services or facilities particularly within inclement weather and during winter when it gets darker earlier.
9. Even if these local services and facilities were readily accessible by foot or cycling, they offer moderate opportunities for employment, recreation, and shopping. It has not been shown, in evidence, that a suitable range of everyday services and facilities would be within reasonable cycling or walking distance of the appeal site. Given the remoteness of the appeal site it would be unwise to rely on future occupants having the high levels of confidence, fitness and proficiency needed to regularly cycle or walk further afield to access a wider range of services and facilities as an alternative to private motorised transport.

¹ As stated in the appellant's Appeal Statement.

10. There is an 'on demand' public transportation service which serves the appeal site. This service operates Monday to Friday from 7am to 7pm and Saturdays from 8am to 6pm. Opportunities for public transport therefore do exist, however, the absence of any evening and Sunday services weighs against this mode of transport as a realistic and attractive alternative to private vehicles.
11. I accept that high speed broadband has enabled opportunities to work from home, facilitate internet shopping, and electric vehicles also reduce carbon emissions at source. However, development should still offer a genuine choice of transport modes to reduce congestion, while accessing a range of everyday services and facilities. I also accept that sustainable transport solutions will vary between urban and rural areas, however, given the circumstances of this appeal as a matter of fact and degree, the proposed development would not offer a genuine choice of transport modes, and would not maximise opportunities for walking and cycling. Therefore, future occupiers would be reliant on private vehicle use to meet their everyday needs.
12. In conclusion, the proposed development would not represent an appropriate location for the proposed development having regard to access to services and facilities. It would therefore fail to accord with the relevant provisions of Policy SP2 of the LPP1 and Policy DM15 of the LPP2, all of which, amongst other things, seek to create sustainable spatial patterns of development.

Openness

13. It is proposed to re-use an existing building and the re-use of buildings may not be inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, such as safeguarding the countryside from encroachment. The appeal site, as shown within the redline surrounding the barn is broadly undeveloped comprising trees and grassland.
14. In considering the impact upon openness, I am aware that the visual quality of the landscape is not in itself an essential part of the openness². Indeed, openness has been defined as the absence of buildings or development³. I also accept that openness is not limited to a volumetric approach, rather it is an open-textured assessment with spatial as well as visual aspects set against the particular facts of a specific case⁴.
15. While the dimensions of the existing barn would be retained, the development would introduce changes to the barn doors and new windows to either side of the front door to facilitate the re-use of the building. The change of use would also alter the levels of activity at the site particularly into the evenings and would introduce associated domestic paraphernalia such as a washing line, outdoor seating and formalised landscaping features associated with a dwelling. In addition, it is indicated that fencing and planting would be erected to enclose the appeal site⁵. All these factors in combination would encroach into the countryside and fail to preserve the openness of the Green Belt both spatially and visually.

² R (oao) Samuel Smith Old Brewery v North Yorkshire County Council [2020] UKSC 3.

³ Timmins v. Gedling Borough Council 2014 EWHC 654 (Admin).

⁴ Turner v. SoS for Communities and Local Government 2016 EWCA Civ 466.

⁵ Paragraph 6.1 of the appellant Statement of Case.

16. It has not been robustly shown that the changes to the barn would be operations that do not amount development. Even if they were, the other factors which include the changes in activity, associated domestic paraphernalia and enclosure of the plot would in themselves fail to preserve the openness of the Green Belt. It has also not been clearly shown that additional landscaping would enhance the proposed development to a level which would preserve the openness of the Green Belt.
17. For the above reasons, the appeal proposal is inappropriate development in the Green Belt, which is, by definition harmful.

Character and Appearance

18. The appeal site lies within the SHNL and an Area of Great Landscape Value. The SHNL comprises a mosaic of farmland, woodland, heaths, downs, and commons. Its designation as a National Landscape recognises its national importance for its distinctive landscape quality, cultural heritage, and natural beauty.
19. The appeal site and the land surrounding it sits at a lower level than The Reeds Road. There is some tree cover as well as open fields laid to grass, split into paddocks by post and rail fencing. The wider area is rural in nature featuring woodland, fields, and a scattering of development.
20. Within the site, views across these equestrian paddocks and woodland features connect positively to the wider context contributing toward the significance of the natural rural landscape. There is a sense of tranquillity at the appeal site, and this is an intrinsic component of the SHNL and its high-quality special character.
21. Planning policy does not prevent development in the SHNL, however, the Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection. The SHNL Management Plan 2020 – 2025 also describes the Surrey Hills as one of England's finest landscapes having a natural beauty and rural character. Therefore, it is important that development conserves and enhances the character and appearance of the SHNL.
22. I note that views from The Reed Road to the appeal site would be limited, however, views of the appeal site are possible from short range vantage points on adjoining land adjacent to the site, principally across the paddock land. When considering how the proposed development is experienced within its setting, there is no documented reason before me to suggest private views are less important to public views within this sensitive location.
23. The proposed development would not alter the height, width, depth, or length of the existing barn with parts of its agricultural character being retained. However, some changes are proposed to the windows and doors. The change of use would also alter the levels of activity at the site particularly into the evenings and would introduce a domestic garden with associated paraphernalia and formalised landscaping features associated with a dwelling. It is also indicated that fencing and planting would be erected to enclose the appeal site.

24. Such development would cause an urbanising effect within this sensitive area, and it has not been robustly shown that the proposed development would successfully integrate with or enhance the immediate setting. It would therefore have an unacceptably harmful effect on the tranquil rural character of the site and surrounding landscape character.
25. It has not been robustly shown that the changes to the barn would be operations that do not amount development. Even if they were, the other factors which include the change in activity and associated domestic paraphernalia would still introduce an unacceptably harmful urbanising effect within this area of designated scenic beauty.
26. It is suggested that appropriate landscaping would enhance the character of the area, however, any landscaping would take time to establish and there is no mechanism before me to secure its long-term health from disease, death or felling in the future. This therefore has limited bearing on my overall findings on this main issue.
27. I fully appreciate that other buildings including equestrian barns, a rural visitor centre, garden centre, houses and commercial estate are located along The Reeds Road or near to it. Some of these may be established buildings considered under different planning policy, others may have a tourism or other role. Without details of their planning history, it is difficult to make meaningful comparisons between the proposed development and these other buildings. The presence of development elsewhere does not, therefore, alter my overall findings on this main issue.
28. Consequently, the proposed development would fail to conserve and enhance the landscape and scenic beauty of the SHNL. Accordingly, it would fail to comply with the relevant provisions of Policies TD1 and RE3 of the LPP1 and Policies DM1 and DM4 of the LPP2. These, amongst other things, seek to respect the distinctive natural landscape and beauty of the local environment.

Other Considerations and Planning Balance

29. I have found that the development constitutes inappropriate development in the Green Belt, that it harms openness, and that it encroaches into the countryside. As such, the proposal would compromise the objective of the Framework, to keep Green Belt land permanently open and it confirms that confirms that substantial weight should be given to any harm to the Green Belt⁶.
30. I have also found that the proposal would fail to conserve and enhance the landscape and scenic beauty of the SHNL and would not represent an appropriate location for the proposed development having regard to access to services and facilities. Tying all these together, I attach very substantial weight to this harm.
31. The Framework advises that very special circumstances will not exist unless harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.

⁶ Paragraph 153 of the Framework

32. The proposed development would efficiently re-use an existing structurally sound building, which is currently vacant within a partly previously developed site, to deliver one unit of smaller housing on a windfall site. The delivery of this housing unit is also at a time when the Council cannot demonstrate a five-year deliverable land supply of housing. However, the weight attached to this benefit is moderated by the quantum of development proposed. I therefore ascribe moderate weight to this benefit.
33. Biodiversity enhancements, electric vehicle charging points, and waste and energy efficiencies are proposed. However, considering the emphasis of the Framework on conserving and enhancing the natural environment, using natural resources prudently, minimising waste and pollution, and moving to a low carbon economy, it is not unusual for development to incorporate such enhancements. For these reasons, I give moderate weight to these benefits.
34. Landscaping improvements are also proposed, however, it has not been clearly shown how additional landscaping would add sufficient benefits to overcome the identified harm. I ascribe these benefits limited weight.
35. I appreciate the Council found no other harm other than that which is set out in its decision, this includes any impact on agricultural land, trees or neighbouring occupiers. However, the absence of harm has limited bearing on my overall findings.
36. It is suggested that vehicular movements would reduce as part of this proposal. However, it has not been robustly shown that this degree of change would be material to the outcome of this appeal. This therefore has limited bearing on my overall findings.
37. For the reasons given, I find that in this case the other considerations taken collectively, do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances required to justify the proposed development do not exist.
38. As such, the proposal does not accord with the relevant provisions of Policy RE2 of the LPP1 and Policy DM14 of the LPP2, which together, amongst other things, seek to ensure that development has regard to the priority afforded to the protection of the Green Belt. The proposal would also fail to comply with other policies of the LPP1 and LPP2 as set out above, and therefore would conflict with the development plan, when read as a whole.

Other Matters

39. I have included Policy DM14 of the LPP2 in my considerations as the proposed development would relate to the alteration of a building in the Green Belt and part (d) of this Policy is relevant to my findings on openness. This policy is therefore engaged. I have not referred to Policy DM35 of the LPP2 as part of this decision as it has not been clearly demonstrated that the existing barn is a large building.

40. The Council has advised that it is unable to demonstrate a five year housing land supply. Where this is the case, Paragraph 11(d) of the Framework advises that planning permission for new housing should be granted unless the application of policies in the Framework that protect the Green Belt or National Landscapes⁷, amongst other things, provide a clear reason for refusing the development proposed.
41. As I have found, the development would be inappropriate development in the Green Belt and would fail to conserve and enhance the character and appearance of the SHNL, the presumption in favour of sustainable development does not apply. This therefore provides a clear reason for refusal.
42. References are made to other applications which the Council has historically approved. However, I do not have the details of these schemes before me. It is therefore difficult to make any meaningful comparisons between the current appeal and these previous developments elsewhere. These other decisions therefore do not alter my overall findings.
43. I have also considered the other matters raised by interested parties including some neighbouring residents support of the proposal. However, none of the other matters raised outweigh or alter my conclusion on the main issues.
44. I appreciate agricultural and equestrian uses can incorporate their own paraphernalia; however, these have a different visual impact in rural areas. It has not been clearly demonstrated that these would be equally or more harmful than the domestication of the appeal site.

Conclusion

45. The proposal would conflict with the development plan when taken as a whole and for this reason the appeal should be dismissed. There are also no other material considerations of sufficient weight to indicate a decision should be made contrary to this conclusion.

N Praine

INSPECTOR

⁷ Footnote 7 of the Framework