



Appeal Decision

Site visit made on 18 February 2025

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21st March 2025

Appeal Ref: APP/R3650/W/24/3353338

Woodbury House, Churt Road, Churt, Farnham, Surrey GU10 2NY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Peter Dacombe against the decision of Waverley Borough Council.
 - The application Ref WA/2024/01178 was approved on 12 September 2024 and planning permission was granted subject to conditions.
 - The development permitted is erection of a replacement stable building following demolition of existing.
 - The condition in dispute is No 2 which states that: The stable building and its associated storage hereby approved shall be used ancillary to the associated main household at Woodbury House, Churt Road, Farnham and shall not be severed as an independent and unconnected residence or use.
 - The reason given for the condition is: to maintain control of the site for planning purposes in accordance with Policy TD1, RE3 of the Local Plan (Part 1) 2018 and the Surrey Hills Management Plan.
-

Decision

1. The appeal is allowed and the planning permission Ref WA/2024/01178 for erection of a replacement stable building following demolition of existing at Woodbury House, Churt Road, Churt, Farnham, Surrey GU10 2NY granted on 12 September 2024 by Waverley Borough Council, is varied by deleting condition No 2.

Main Issue

2. The main issue is whether the condition is reasonable and necessary in the interests of maintaining the control of the site for planning purposes.

Reasons

3. The appeal relates to small stable building which is in a state of disrepair. The wider site is a plot of significant size which contains a large dwelling, open fields and paddock. The planning application related to the appeal granted permission for the replacement of the existing stable with a modern stable.
4. The stable building is some distance away from the main house and it is also served by its own small access from the road and gravelled parking area. The red line plan submitted with the application is drawn tightly around the stable building and its access.

5. The first part of the condition requires that the use of the stables and its storage are to be used ancillary to the main dwelling house. However, based on the evidence provided by the appellant the stable has not been used for ancillary purposes since its construction. The replacement building is similar in size and as such, the small size would mean that there is very limited scope for the use to become uncontrollable.
6. The second part of the condition specifies that the stable should not be severed as an independent and unconnected residence or use. However, a stable does not benefit from permitted development rights for a change of use to a dwelling, or another use. There is no evidence to suggest that this would take place and combined with the requirement for planning permission in such circumstances, these requirements are unreasonable and unnecessary in order to control the use of the building.
7. I therefore conclude that the condition is not reasonable or necessary in the interests of maintaining the control of the site for planning purposes. There is no conflict with Policies TD1 and RE3 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites February 2018 which seek to respect the character and amenity of the Borough and the distinctive character of the landscape which the Council found no conflict with.
8. I also find no conflict with guidance contained within the Surrey Hills Management Plan which seeks to highlight the special qualities and the enduring significance of the AONB and the importance of its landscape, wildlife and cultural heritage, identifying those features that are vulnerable to change.

Conclusion

9. For the reasons given above the appeal should be allowed.

D Wilson

INSPECTOR