
Appeal Decision

Site visit made on 22 April 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 NOVEMBER 2025

Appeal Ref: APP/R3650/W/24/3357835

Hillside Stables, Hillside Road, Frensham GU10 3AJ

- 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 Ms McMillan against the decision of Waverley Borough Council.
 - The application Ref is WA/2024/01657.
 - The development proposed is alterations to convert an existing stable block, tack room and hay barn to provide a single independent dwelling together with landscaping and associated works.
-

Decision

1. The appeal is allowed and planning permission is granted for alterations to convert an existing stable block, tack room and hay barn to provide a single independent dwelling together with landscaping and associated works at Hillside Stables, Hillside Road, Frensham GU10 3AJ in accordance with the terms of the application subject to the conditions in the attached schedule.

Preliminary Matters

2. The Council altered the description of the development during its consideration of the application. The revised wording is a more concise description of the proposal and removes superfluous text from the version set out on the application form. I have therefore used it in the banner heading and in my formal decision.
3. Following a review of the appellant's Statement of Case the Council has stated that it no longer wishes to contest the second reason for refusal.
4. During the course of the appeal, a Unilateral Undertaking (UU) was submitted to secure the dwelling as a self-build dwelling under the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). I will return to this matter later in my decision.

Main Issue

5. The remaining main issue in this case is the effect of the proposal on the character and appearance of the area and whether the proposal would lead to the coalescence of settlements.

Reasons

6. The site lies within the countryside outside of the Green Belt, has an equestrian use and includes existing stabling, tack room, hay barn, chicken coop and associated hardstanding and equestrian paraphernalia. There is mature foliage screening the stabling from the private road serving the stabling and several other residential properties. Hillside Road also serves as a public footpath (Footpath 183).

7. The proposed development is for alterations to the stabling, tack room and hay barn to convert it into a dwelling together with landscaping and associated works. The proposed alterations would comprise the addition of a porch, photovoltaic solar panels, a roof light and alterations to the fenestration.
8. Planning permission was refused and an appeal dismissed Ref APP/R3650/W/22/3313759 (3313759) on an adjacent site for a new two-storey dwelling, detached garaging with ancillary accommodation above and associated access, parking and landscaping. This appeal differs from 3313759 in that the site boundaries are different (the sites are adjacent to each other) and this appeal is for the conversion of existing buildings, not the erection of a new dwelling. The two sites are also fundamentally different in character and appearance. The adjacent site is open grazing land with no boundary screening to Hillside Road and with fencing as the only built development. This appeal site comprises existing buildings with hardstanding for parking and mature foliage screening the buildings from the road.
9. The impact of the conversion of an existing building on the character and appearance of the area compared to a new dwelling is inherently different as the erection of a new dwelling introduces built form where none currently exists. The Inspector for appeal 3313759 recognised the site 'contributes positively and has the appearance of being part of this open, rural character'. The same attributes in terms of character cannot be given to this appeal site which does not have an open, rural feel as it consists of built form, hardstanding and mature foliage.
10. The Council considers the proposal would domesticate the rural plot which, coupled with the provision of parking and landscaping would formalise the appearance of the landscape. The paraphernalia associated with a domestic property would also be difficult and unreasonable to control and it raises concerns regarding light pollution from the proposal and contend the proposal would be immediately adjacent to Footpath 183 and readily visible from multiple viewpoints along this right of way. At the same time, the case officer report acknowledges that the proposal would not appear unduly prominent or distinct in views from Footpath 183.
11. At my site visit I noted the development would be set back from Hillside Road and Footpath 183 and would be well screened by existing mature foliage such that the proposal would not be readily visible from multiple viewpoints along the right of way. Whilst the conversion of the buildings to residential use would add an element of domestication, some aspects already exist such as car parking for the stabling and the built form. The proposal would bring about an element of change to the appearance of the building and the site, however, the Council notes the appearance of the converted stables would be non-descript and inoffensive and this does not equate to harm, especially as the character of Hillside Road is of large residential properties of non-uniform design and formality. The proposal would not have a detrimental urbanising effect on the rural landscape.
12. I have not been provided with convincing evidence to demonstrate how the conversion of an existing building would lead to the coalescence of the settlements of Rowledge and Frensham. No additional built form or alterations to the site boundary are proposed and the physical alterations to the building would not bring the listed settlements any closer.

13. In conclusion, the proposal would not have a detrimental effect on the character and appearance of the area or lead to the coalescence of Rowledge and Frensham. The proposal complies with Policy RE1 of the Waverley Borough Local Plan (Part 1) Strategic Policies and Sites 2018, Policy DM15 of the Waverley Borough Local Plan (Part 2) Site Allocations and Development Management Policies 2023 and Policies FNP10 and FNP 11 of the Farnham Neighbourhood Plan. These policies seek to recognise the character and pattern of development in rural areas while making efficient use of land.

Other Matters

14. The Old Farm is a Grade II listed building, two-storey in height dated circa 17th Century and is located approximately 50m from the appeal site set back from the road within extensive grounds. There would be sufficient screening and distance between the proposal and the Old Farm to ensure the building and its setting are preserved in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
15. It has been brought to my attention that the hedge which is subject to a proposed condition may not be within the appellant's ownership. However, the granting of planning permission would not affect any private legal rights relating to land ownership. Accordingly, issues relating to land ownership have not had any material bearing on my assessment of the planning issues in this appeal.
16. I have considered interested party concerns that the grant of planning permission would set a precedent for other similar developments, and I have been provided with planning application references to dismissed appeals on neighbouring fields. I have not been provided with sufficient details of the appeals in order to be able to make a direct comparison with this appeal and I must base my decision on the evidence presented to me. Each application must be determined on its own individual merits and a generalised concern of precedent does not justify withholding permission in this case.
17. The Council has not suggested restricting permitted development (PD) rights in this instance. I see no reason to take a different view with specific regard to Paragraph 55 of the National Planning Policy Framework (Framework) which states that planning conditions should not be used to restrict national PD rights unless there is clear justification to do so.
18. My attention has been drawn to concerns regarding an increase in traffic movements to and from the site as a result of the proposal. I have not been provided with evidence to substantiate this and no objections on highway grounds have been received from the Highway Authority. The number of additional vehicle movements generated by a single dwelling is likely to be modest in any event.
19. At the time of my site visit the stabling was not in use and the appellant has confirmed the stabling is redundant and disused. The Council and interested parties have drawn my attention to the adjacent paddock where horses have been seen and that the stabling contains equipment associated with equestrian use. The appellant has confirmed the horses and adjacent paddock do not belong to the appellant and the horses are stabled elsewhere. No further confirmation is required from the appellant regarding the status of the stabling.

20. The relevance of whether the site is redundant and disused relates to paragraph 84 of the Framework which seeks to avoid the development of isolated homes in the countryside unless (c) the development would re-use redundant or disused buildings and enhance its immediate setting. The Council acknowledges the site is not isolated and therefore Paragraph 84 of the Framework does not apply. The Council also conceded it could not defend a reason for refusal on location or sustainability grounds.
21. Interested parties have raised concerns regarding site drainage. The site is in Flood Zone 1 and therefore there is a low probability of flood risk and the site is below the size threshold where statutory guidance would require a flood risk assessment.
22. An ecological appraisal of the site was provided as part of the application and recommendations made to protect the populations of commuting/foraging bats, reptiles and amphibians and badgers. Mitigation measures would be conditioned.
23. The appellant has submitted a UU dated the 8 October 2025 which secures the dwelling as a self-build or custom build dwelling as defined under the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). This is necessary to secure the exemption from providing Biodiversity Net Gain (BNG) and meets the tests as set out in paragraph 58 of the Framework. The Council have had the opportunity to comment on the UU and raise no objection.

Conditions

24. In order to provide certainty, time limit and plans conditions are imposed. In the interests of highway safety and to encourage sustainable modes of transport for occupiers and visitors to the site conditions are imposed relating to the provision of visibility splays and cycle and car parking.
25. Tree planting and ecological conditions are imposed to protect and enhance the ecology on the site and the landscape.

Conclusion

26. For the reasons given above the development accords with the development plan as a whole and there are no material considerations to indicate that a decision should be made otherwise than in accordance with the development plan, therefore the appeal should be allowed.

C Coles

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos 0201, 0202, 0203, 0204 and 0205.
- 3) The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Hillside Road, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be planted within the area of such splays.
- 4) The development hereby approved shall not be first occupied unless and until facilities for the secure, lit and covered parking of bicycles and the provision of a charging point with timer for e-bikes by said facilities 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 and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
- 5) 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 (drawing no. 0205) for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes.
- 6) The development hereby approved shall be completed at all times in accordance with the impact avoidance, mitigation, compensation and enhancement measures for protected species as set out in the Ecological Impact Assessment, Darwin Ecology dated September 2024 submitted with this application.
- 7) Prior to commencement of development, tree planting details shall be submitted to and approved by the Local Planning Authority. This should follow the details as set out in the Proposed Block Location Plan (0205) and include:
 - Quantities and species of trees to be planted.
 - Proposed times of planting, and
 - Arrangements for aftercare over a period of 5 years

All tree planting and aftercare shall be carried out in accordance with the approved details. If within a period of five years from the date of the planting of any tree, that tree, or any planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted in the same place.

End of Conditions