Planning Inspectorate

Appeal Decision

Site visit made on 11 March 2025

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 May 2025

Appeal Ref: APP/R3650/W/24/3339079
Well Meadows, 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 J Leckie against the decision of Waverley Borough Council.
- The application Ref is WA/2023/00542.
- The development proposed is change of use and alterations to agricultural barn, stable building and home office/garden room building to a single residential dwelling together with amenity space and car parking.

Decision

1. The appeal is allowed and planning permission is granted for change of use and alterations to agricultural barn, stable building and outbuilding to a single residential dwelling together with amenity space and car parking at Well Meadows, Pickhurst Road, Chiddingfold, Godalming, Surrey GU8 4TG in accordance with the terms of the application, Ref WA/2023/00542, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal submission includes amended plans removing the proposed gable projections on the roof and altering some of the proposed fenestration, along with an Ecological Impact Assessment report (EIA). I do not regard these amendments and additional technical information as involving a substantial difference or fundamental change to the application. Nor do I consider that accepting the above would lead to procedural unfairness to interested parties. I have therefore accepted these submissions and have determined the appeal accordingly.

3. A revised National Planning Policy Framework (the Framework) was issued on 12 December 2024. The main parties were given an opportunity to comment on the revised Framework as part of the appeal process..

Main Issues

4. The main issues are:

   - whether the location of the proposed dwelling would be suitable having regard to local planning policy and accessibility;
   - the effect on the character and appearance of the surrounding area; and
   - the effect on protected species and habitats and those of conservation concern.

Reasons

Location

5. The appeal site comprises a barn building, a lower adjoining L-shaped stable block, a paved courtyard area serving their entrances, and a smaller domestic outbuilding immediately behind these buildings. It is accessed via a long driveway off Pickhurst Road and is to the rear of the main dwelling of Well Meadows, in a rural location at least 2km south of Chiddingfold village. The wider landholding in the appellant's ownership includes a tennis court, animal/field shelters and a sand school.

6. To maintain Waverley's character whilst ensuring that development needs are met in a sustainable manner, Policy SP2 of the Local Plan Part 1: Strategic Policies and Sites (LPP1) 2018 directs development to the four main settlements[1]. This policy also allows for moderate levels of development in "larger villages", which includes Chiddingfold. The appeal site is however located within the Countryside Beyond the Green Belt and at some distance away from the nearest village of Chiddingfold.

7. Policy DM15 of the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies (LPP2) 2023 governs development in rural areas. It states, amongst other things, that 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.

8. During my site visit, I noted that the village centre at Chiddingfold contains some everyday services and facilities, including convenience store, pharmacy, café, church and two public houses. The segregated footway route from these amenities terminates at the junction of Pickhurst Road and Pockford Road. The speed limit of Pickhurst Road changes from 30mph to the national speed limit (60mph) shortly after this junction and continues as such towards the appeal site.

9. I found the route to the site from the abovementioned village facilities to be beyond what could reasonably be described as an everyday walking distance. I also saw no evidence of this route being served by public transport.

10. In terms of quality, I found the route to be almost entirely unlit, narrow in points and mainly containing no footways. Although there are some pedestrian refuge points along the road, it did not always feel particularly safe to walk along due to a number of narrow and undulating sections of highway, with some bends. The steeper sections would also prove physically challenging for some pedestrians and cyclists. Whilst I noted some signed public bridleway routes, they did not appear to offer a practical alternative route between the appeal site and the village.

11. Somewhat tempering the above constraints, and accepting that my visit was only a snapshot in time, I observed vehicular traffic levels to be low. Their speed also appeared to be lowered naturally by the highway bends and undulations.

12. Overall, I conclude however that the location of the proposed dwelling would be isolated from everyday services and facilities in terms of distance and accessibility constraints. Future residents of the proposal would therefore be likely to be

[1] Farnham, Godalming, Haslemere and Cranleigh.

dependent on use of private vehicles. In this respect, the proposal is contrary to Policy SP2 of the LPP1 and Policy DM15 of the LPP2 as cited above.

Character and appearance

13. The appeal site and its surrounds are within a locally designated Area of Great Landscape Value (AGLV). The barn and stable buildings broadly typify a countryside location, although part of the barn has been enclosed to form storage. The stables and associated land were clearly in active use for the keeping of horses at the time of my visit.

14. Part of the barn enclosure includes a large area of glazing including double doors, used at the time of my visit for storage of animal feed amongst other things, with the open section containing a horse transport vehicle and two cars. The detached office/garden room building also contains glazed windows and door fittings, along with rather ornate porch and canopy features. Overall, I found the above buildings to already have a partial domestic appearance and function.

15. Surrounding the proposal site, the landscape is rural and verdant, with some filtered views of sporadic neighbouring dwellings amongst trees. The main dwelling of Well Meadows is of modern era, but with a traditional two-storey design and appearance, set in relatively spacious grounds that reflects the rural vernacular and character of the area. This rural appearance and setting of the appeal site contributes positively to the scenic beauty of the AGLV.

16. The appeal proposal would include a slight increase to the bulk of the barn arising from a small eaves height increase. The barn gable ends would however remain free of domestic openings, and the fenestration would avoid excessive first floor glazing or roof alterations. Larger glazing, along with the proposed porch and canopy additions, would be well contained within private curtilage areas. The infill extension would form a very small additional footprint increase, well contained by the existing buildings. External materials are indicated to include Bargate stone or similar, with some red brick quoin detailing, and dark grey upper floor cladding.

17. This design approach would prevent the resultant dwelling appearing overly urban or dominant in its setting. Views from along Pickhurst Road would also be largely restricted due to the siting behind Well Meadows and intervening shrubbery.

18. The proposed parking bay for two vehicles alongside the dwelling would necessitate the loss of one tree within a formal row of three trees along the adjacent section of driveway. This would not adversely alter the character of the area, and I am satisfied that adequate protection measures for the remaining trees can be secured by means of planning condition.

19. The submitted plans also indicate that an existing animal shelter, open storage enclosure, and a dividing section of post and rail fencing behind the stables, would all be removed to facilitate the main garden area. There is also an area of unvegetated surface between the stable and storage enclosure, and a more formal paved area along the courtyard. It is unclear whether these hardstanding areas would be retained or removed.

20. A suitably worded planning condition can however ensure that the dwelling is served by appropriate soft landscaping and garden areas for its function and rural setting. Similarly, a further condition can control all proposed external material

specifications. Appropriate details that could be agreed under these conditions could achieve an enhancement to the immediate setting of the proposal site, including a net increase in soft landscaping.

21. I therefore conclude that the overall proposal would not harm the character and appearance of the surrounding area. In this respect, the scheme complies with Policies TD1 and RE3 of the LPP1, Policies DM1, DM4 and DM15 of the LPP2, and Polices BE1 and BE2 of the Chiddingfold Neighbourhood Plan 2021 (CNP). Collectively, these policies require, amongst other things, development to recognise and not cause harm to the open countryside and areas of landscape value, to enhance the AGLV, and to be of high quality design that responds to the local context by taking account of scale, rooflines and architectural composition.

22. The second reason for refusal cites conflict with Policy H5 of the CNP, which states that all planning applications for new dwellings are encouraged to include a Building for Life assessment. The CNP does not provide a definition of "Building for Life assessment", nor is there any reference to this in the Council's evidence. This reason for refusal also cites conflict with the Council's Residential Extensions Supplementary Planning Document 2010 (SPD). The proposal however mainly relates to conversion of existing buildings, and the SPD does not explicitly refer to new dwelling proposals. The Council's evidence does not articulate any specific harm in respect of the proposed infill extension and the porch and canopy additions, which are discreet and modest. Conflict with the above policy and guidance has therefore not been demonstrated.

Protected species and habitats and those of conservation concern

23. The appeal submission includes the aforementioned EIA report. This cross references a Bat Survey Report (BSR) that was considered as part of the Council's determination of the planning application. Both these technical documents have been undertaken by professional ecology consultancies.

24. The EIA report consults the Multi-Agency Geographic Information for the Countryside (MAGIC) for all designated sites within a practicable zone of influence of the proposal site. The nearest designated site is Chiddingfold Forest Site of Specific Scientific Interest (SSSI), located some 0.6km away, and designated for its woodland habitat and the invertebrate and bird communities it supports. The appeal site shares no features with this SSSI. Several Sites of Nature Conservation Importance (SNCIs) are also identified within 2km of the proposal site. However, the site contains distinctly different habitats to these SNCIs.

25. Given the small scale of the proposal and the intervening distance, no impacts would occur upon this SSSI, or other designated and non-designated sites within a potential zone of influence from the proposal. I also note that Natural England raised no objection in consultation in this regard.

26. The EIA report includes a desktop search to identify ponds within 500m of the site which may have potential to support breeding great crested newts (GCN). One pond to the north of the appeal site within the property of Wynchfield was cited by the Council as having the presence of GCN[2]. The EIA report advises that the appeal site offers some suitable habitat for amphibians, reptiles, common invertebrates and breeding birds. Habitats identified within and around the site

[2] With reference to a recent planning application Ref: WA/2023/01089

include modified grassland, shrubs, scattered trees and native hedgerow. The proposed construction zone is of minimal ecological value, due to the dominance of hardstanding and buildings.

27. Suitable habitat for invertebrates was present during the survey within the amenity grassland, trees and hedgerows, which can support a small number of common and widespread invertebrates. Modified grassland provides some suitable habitat for commuting amphibians and reptiles. I saw these habitat features during my visit. The site offers minimal suitable habitat for dormice and no signs of badger activity were identified, or evidence of other mammals. A low potential for foraging and nesting birds within the proposed construction zone was identified.

28. The proposal would result in the loss of a very small area of modified grassland relating to the proposed two parking bays adjacent the dwelling. This grassland is of low ecological value, the loss of which would be of minor impact magnitude.

29. A series of Reasonable Avoidance Measures are suggested to ensure the protection of amphibians on site, given that GCN, other amphibians and reptiles are known to be in the surrounding area. Once avoidance, mitigation and compensation measures are taken into account, the overall impacts upon biodiversity would be negligible and nonsignificant, with proposed ecological enhancements resulting in a predicted net gain in biodiversity. I am satisfied that these measures can be secured by means of planning condition.

30. The BSR advises that the barn and office buildings provide some potential roosting features. The site is surrounded by pasture, scattered mature trees and hedgerows. There are also small pockets of ancient woodland within 1km of the site, with the closest on the opposite side of Pickhurst Road.

31. A single bat emergence survey was therefore undertaken, but this recorded no evidence of roosting bats. A single common pipistrelle bat was observed emerging from beneath a warped section of weatherboarding on the western elevation of the home office/garden room building. The proposal does not however alter this elevation. Foraging and commuting activity predominantly by common pipistrelle bats was also detected.

32. I am satisfied that the proposed mitigation measures will ensure that the favourable conservation status of bats using the site would be maintained and that there would be no harm to individual bats. The proposed enhancement measures can result in a net improvement in opportunities for bats and can be secured by condition.

33. I conclude that subject to conditions, the proposal would avoid harm to protected species and habitats and those of conservation concern, in compliance with Policy NE1 of the LPP1 and Policy DM1 of the LPP2. These policies require, amongst other things, development to not cause harm or damage to existing environmental assets such as areas of ecological value, and to retain, protect and enhance features of biodiversity.

Planning balance

34. Whilst I did not find harm in relation to the second and third main issue, I have found that the location of the proposed development would be contrary to both LPP1 Policy SP2 and LPP2 Policy DM15, as future residents of the proposal would

be likely to be dependent on the use of private vehicles. Hence, the appeal scheme would be contrary to the development plan as a whole.

35. The Council states that it presently has a 1.28 year supply of deliverable housing sites. In these circumstances paragraph 11d of the Framework is engaged. There is nothing before me to indicate that the policies in Footnote 7 of the Framework are relevant in this case. Hence, the balance in paragraph 11dii is applicable. This states that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to specified key policies. Paragraphs 84 and 110 of the Framework are identified as key policies in this respect. I consider that they have relevance to this case.

36. Paragraph 84 c) of the Framework sets out that planning decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting. The main parties are in dispute as to whether the proposal is isolated. Having regard to the relevant case law[3], the word "isolated" in this context simply connotes a dwelling that is physically separate or remote from a settlement. In this respect, I have already concluded in the first main issue that the proposal is isolated. Although the appeal buildings are currently in use, I have no reason to dispute that they are redundant in terms of no longer being needed or useful.

37. As I have set out in the second and third main issues, I have found that the proposal would not harm the character and appearance of the surrounding area and would not harm species and habitats within and around the site, subject to conditions. I am satisfied that appropriate landscaping and external materials details could be agreed under suitably worded planning conditions. On that basis an enhancement to the immediate setting of the proposal would be achieved. Therefore, the proposal derives support from paragraph 84 c) of the Framework.

38. Paragraph 110 seeks to promote sustainable transport particularly for significant development. However, it recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas which should be taken into account in decision making.

39. The proposal would provide an additional dwelling against a backdrop where there is a serious shortfall in housing supply. Furthermore, it would reuse existing buildings. There would also be some consequent economic benefits associated with the development. Overall, the harm arising from the reliance upon the private car for the single dwelling proposed in this case would not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework. It follows that the presumption in favour of sustainable development applies and is an important material consideration which weighs in favour of allowing the scheme.

40. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The proposed development would conflict with the development plan but

[3] *Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd* [2018] EWCA Civ 610 (page 11, paragraph 31). This Court of Appeal (CoA) finding is also endorsed by another CoA judgment: *City and Country Bramshill Ltd v SSHLG and others* [2021] EWCA Civ 320 – namely at pages 10-11, paragraphs 31-33.

material considerations, including the Framework and the benefits arising from the development, justify making a decision other than in accordance with it.

Conditions

41. I have considered the Council's suggested conditions against the tests in the Framework and Planning Practice Guidance, and have amended their wording, where necessary.

42. I agree that a condition specifying time limits for the development (condition 1) is necessary in the interests of planning certainty. Condition 2 is necessary to clarify the approved plan details. I do not consider it necessary to list the existing plans and the Design and Access Statement. Nor is it necessary to list the ecological reports, as they are referred to in condition 8. I have deleted reference to "No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority", as any amendments to the approved plans would be subject to an additional application to the LPA in any event.

43. Given the rural location of the site in the AGLV, I consider it necessary to impose a pre-commencement condition to secure details of hard and soft landscaping works (condition 3). Condition 4 is necessary to ensure the implementation and retention of the landscape details to be agreed under condition 3.

44. Condition 5 is necessary to ensure adequate protection measures for the retained trees. A further pre-commencement condition requiring agreement of external materials (condition 6) is necessary in the interests of the character and appearance of the area. I have deleted the Council's suggested references to render and hard surfacing materials, as the proposed elevations do not indicate render, and hard surfacing materials are governed as part of the landscaping condition (No 3).

45. The officer report makes reference to policies CC1 and CC2 of the LPP1 and Policy DM2 of the LPP2, which collectively seek to address climate change, including minimising water use. In this respect, LPP1 Policy CC2 requires new dwellings to meet the requirement of 110 litres of water per person per day. I therefore consider it necessary for this to secured by a pre-occupation condition (No 7). Condition 8 is necessary in the interests of protected species and biodiversity.

46. The officer report also states that were the application to be recommended for approval, additional details would have been sought in relation to electric charging units and parking spaces within the site. I have not however been provided with the planning policy justification for electric charging units, which in any event forms a separate requirement of Part S to the Building Regulations. The submitted plans indicate two parking spaces adjacent to the dwelling, and any further parking provision could be controlled as part of the hard landscape details subject to condition 3. I therefore do not consider it necessary to impose additional conditions governing these matters.

Conclusion

47. For the reasons set out above, the appeal is allowed.

R Cahalane

INSPECTOR

Schedule of Conditions

1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2) The development hereby permitted shall be carried out in accordance with the following plans: A0 -Rev 1; A 2 -Rev.1; A 3 -Rev.1; A 4-Rev.1; A 6-Rev.1; A 7-Rev.1; A 9-Rev.1; A 10 -Rev.1.

3) No development 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) details of all existing trees and hedgerows on the land, and identification of those to be retained;
   b) proposed planting, seeding or turfing, and garden areas;
   c) means of enclosure;
   d) boundary treatment;
   e) vehicle parking layout;
   f) other vehicle and pedestrian access and circulation areas; and,
   g) existing and proposed hard surfacing materials.

   The hard landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied.

4) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

5) No site clearance, preparatory work or development shall commence until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) has been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved. [In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.]

6) No development shall commence until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the local planning authority, including:
   a) samples of all brick, stone and tiling;
   b) samples of all cladding to be used, including details of their treatment to protect against weathering;
   c) samples of the proposed windows and doors; and
   d) samples of all other materials to be used externally.

The development shall be carried out in accordance with the approved materials details.

7) Prior to the occupation of the development hereby permitted, 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.

8) The development hereby permitted shall be undertaken in accordance with the recommendations, mitigation and compensation measures and ecological enhancements set out in Section 5 of the Bat Survey Report (Version 1, issued by Deepdene Ecology Ltd, dated December 2022); and Sections 5.0 and 7.0 of the Ecological Impact Assessment (Lizard Landscape Design and Ecology, Ref: LLD3158-ECO-REP-001-00-EcIA, dated 19/02/2024).