



Appeal Decision

Site visit made on 29 March 2016

by Kevin Gleeson BA MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 June 2016

Appeal Ref: APP/R3650/W/15/3134478

Chapel Fields, Loxwood Road, Alfold, Cranleigh GU6 8HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Richard Cooke against the decision of Waverley Borough Council.
 - The application Ref WA/2015/0404 dated 25 February 2015, was refused by notice dated 22 July 2015.
 - The development proposed is erection of 10 houses.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - a) whether the principle of residential development would be acceptable;
 - b) the effect of the proposed development on the character of Alfold and the setting of the Alfold Conservation Area; and
 - c) whether the proposal would provide a satisfactory mix of housing.

Preliminary Matters

3. The application was made for outline planning permission with all matters reserved apart from access. An indicative layout was also submitted.
4. The Council has confirmed that in the light of its recent decision in respect of Sweeters Copse, Alfold, its position in respect of the sustainability of the appeal site has changed. Consequently the Council resolved not to defend reasons for refusal four and five.
5. The appellant submitted a signed and dated Unilateral Undertaking which would secure the provision of affordable housing. This matter is dealt with later in my decision.

Reasons

The Principle of Residential Development

6. Chapel Field is a large open field located outside the settlement boundary for Alfold which lies to the south of the site. The site is located on the western
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side of Loxwood Road and to the north is Sandy Court, a detached property whilst to the west is Lindon Farm. Opposite the site is a pond, the Alfold Business Centre and Alfold House.

7. At the heart of national policy, as stated in paragraph 14 of the National Planning Policy Framework (the Framework) is a presumption in favour of sustainable development. Notwithstanding that presumption, paragraph 2 of the Framework reiterates the statutory position that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
8. The development plan covering the appeal site includes the saved policies of the Waverley Borough Local Plan (the Local Plan), 2002. Policy C2 of the Local Plan states that in the countryside beyond the Green Belt, which comprises the appeal site, the countryside will be protected for its own sake. The intrinsic character and beauty of the countryside is also recognised in paragraph 17 of the Framework.
9. Paragraph 49 of the Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. It goes on to state that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
10. The Council has confirmed that it cannot demonstrate a five year supply of deliverable housing sites and therefore Policy C2 as a policy for the supply of housing cannot be considered up to date. I also find that Policy RD1 is a relevant policy for the supply of housing and therefore not up to date. Consequently the proposed development should be considered in the context of paragraph 14 of the Framework.
11. The Council accepts that since the application was determined its position in relation to the principle of development at Alford has changed. The Waverley Borough Local Plan – Emerging Spatial Strategy proposes some growth in and around a number of villages including Alford. It also confirms that greenfield development should avoid development on land of the highest amenity value.
12. The Emerging Spatial Strategy has been agreed by the Council's Executive but is at an early stage of preparation. Applying paragraph 216 of the Framework which indicates that account can be taken of emerging policies depending upon a number of factors, including the stage of preparation I attach limited weight to the emerging Local Plan.
13. I have had regard to the Council's decision not to defend the reasons for refusal four and five, related to sustainability. I have also noted that the Council resolved to grant outline planning permission for 55 dwellings on land at Sweeters Copse. Taken together with the Council's resolution in respect of its emerging Local Plan these issues constitute material considerations which need to be taken into account in the determination of this appeal.
14. Paragraph 55 of the Framework allows residential development in rural areas in limited situations where this would enhance or maintain the vitality of rural communities. An example is given of where there are groups of smaller settlements and development in one village may support services in a nearby

village. Such a situation could be considered to apply in this case in the light of the Council's recent decisions.

15. Paragraph 7 of the Framework identifies three dimensions to sustainable development. The proposed development would contribute to the economic role as house building promotes economic growth through construction activity and future occupiers of houses provide custom for existing shops and services. The social role of sustainable development would be met by the proposed development contributing to the supply of housing, including affordable housing, in an area where current need is not being met. The proposal would therefore provide a benefit in line with paragraph 47 of the Framework which identifies the need to boost significantly the supply of housing and in an area of housing market stress I attach considerable weight to this matter.
16. In terms of the environmental dimension of sustainable development I find that the proposed development would utilise land which is not of the highest amenity value and would not give rise to any material harm to biodiversity or natural habitats. The effect on character and appearance which is an element of the environmental dimension is also a consideration in assessing sustainable development and is addressed below.
17. Paragraph 8 of the Framework states that the three roles of sustainable development should not be undertaken in isolation as they would be mutually dependent and economic, social and environmental gains should be sought jointly and simultaneously through the planning system. On this basis I find that the environmental dimension would not be in line with the economic and social gains arising from the scheme.

Character

18. Alford is essentially two separate settlements which are different in character. The southern part has a historic core which demonstrates organic growth over a considerable period of time and is characterised largely by frontage development. To the north the more recent development of the village is essentially urban and lacks character. The two parts of the village are separated by open fields including the appeal site.
19. As outline permission is being sought with layout reserved for later determination the indicative layout serves to demonstrate that a scheme could be developed which would address the constraints of the location. Whilst accepting that the built form of the development would address the street frontage which is characteristic of the historic village the Design and Access Statement and the indicative layout do not demonstrate that the proposal reflects an eclectic style as claimed by the appellant.
20. The indicative layout shows a scheme incorporating smaller units in a tighter form of development on the southern part of the appeal site alongside larger units within a more landscaped setting to the north. In its indicative form it would introduce a degree of regularity to the two parts of its frontage which is not apparent elsewhere within this part of the village. This is particularly so in relation to units 8 – 10 which are characteristic of a suburban design approach. Whilst recognising the design intention to change the character across the site from the historic core to the village edge the indicative layout has a uniform approach rather than the evolutionary form typified by the historic village.

21. The introduction of an access road to the front of units 8-10 would also not be characteristic of frontage development whilst the provision of a large area of hard-standing and car parking to the rear of units 1-7 would not reflect the rural setting or historic pattern and relationship of development. The number, mix and spread of units together with the areas of hard-standing would result in a suburban form of development and resultant harm to the pattern and character of the settlement in the context of the small scale organic development in the locality.
22. It has not been demonstrated that it would be possible to achieve a layout which respects the traditional character and scale of the adjoining development at reserved matters stage. The proposed development would fail to address the requirement of paragraph 58 of the Framework in respect of responding to local character and history including reflecting the identity of local surroundings.
23. I also find that the proposed development would be contrary to policies D1 and D4 of the Local Plan, both of which accord with the Framework. In respect of Policy D1 the proposal has not demonstrated that it would not result in material harm to the visual character and distinctiveness of the locality, particularly in respect of its relationship to its surroundings. In terms of Policy D4 it has not been demonstrated that the proposal integrates with the surroundings and respects local distinctiveness or makes a positive contribution to it.
24. The appeal site is located adjacent to the Alford Conservation Area, sharing a boundary with the Conservation Area on its eastern and southern boundaries. As described by my colleague in earlier appeal decisions¹, the significance of the Conservation Area is derived from its historic form and the numerous individually significant buildings dating from the medieval period to the late 19th century. The frontage development of the historic part of the village continues along Loxwood Road opposite the appeal site where the character is derived from a mix of uses of varying styles set out in an informal layout. To the south of the appeal site Alford Chapel also contributes positively to the character of the Conservation Area.
25. The Council suggested that the proposed development would adversely affect the rural transition. By virtue of being a green field on the edge of a village the site provides a transition between the village and the countryside. That in itself does not signify any harm arising from its development.
26. Policy HE8 also states that development should preserve or enhance the character of conservation areas by requiring a high standard of design for development within or adjoining conservation areas. In particular the suburban form of development and the substantial area of parking immediately adjacent to the Conservation Area's northern boundary would be harmful to its setting. Although indicative rather than definitive the evidence of the layout before me would suggest that there is potential for the proposed development to result in considerable harm to the setting of the Conservation Area.
27. The harm to the significance of the Conservation Area would be less than substantial. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It notes that

¹ APP/R3650/A/14/2220242 and APP/R3650/A/14/222163

significance can be harmed through development within its setting. Furthermore, paragraph 134 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal including securing its optimum viable use. In this case the provision of market housing where there is a lack of a five year housing land supply, and the provision of affordable housing carry weight in favour of the proposal.

Housing Mix

28. The proposed development would provide a mixture of two, three and four bedroom units. The recently published West Surrey SHMA: Waverley Addendum 2015 provides indicative requirements for different dwelling sizes based on identified local need.
29. The proposed development would incorporate a housing mix which would not reflect this identified housing need through the provision of a greater proportion of larger units and a lack of one bedroom units. It would also be contrary to the requirements of Policy H4 of the Local Plan which requires at least 50% of all dwellings within schemes of more than three units to be two bedrooms or less.
30. Paragraph 50 of the Framework states that in order to deliver a wide choice of high quality homes a mix of housing based on current and future demographics and market trends should be provided. Whilst this implies a need to be flexible I do not identify a conflict with Policy H4. Nevertheless, although the indicative layout in terms of housing mix currently conflicts with Policy H4, because the application is in outline form this matter could be addressed through a submission at reserved matters stage, were I to allow the appeal.

Conclusions on Main Issues

31. Paragraph 14 of the Framework states that where relevant policies of the development plan are out of date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicating that development should be restricted.
32. In respect of the planning balance which the Framework requires the adverse impact of the proposed development can be identified as follows. Although the appeal site is outside of the defined settlement boundary because Local Plan policies C2 and RD1 are policies for the supply of housing this does not justify refusing permission. However, I find that the impact of the proposed development on the character of the village and the harm to the significance of the Conservation Area though less than substantial on the terms of paragraph 134 of the Framework count heavily against the proposal. I attach considerable weight and importance to these factors. Such matters also weigh against the scheme in the context of paragraph 8 of the Framework.
33. The indicative layout shows possible parking for Alfold Chapel which could be a benefit for the village. However, as no mechanism has been presented for its provision or use and I have identified the adverse effect of this parking area on

the Conservation Area I consider the overall effect of this element of the scheme to be neutral.

34. Although the potential of the scheme to contribute 10 dwellings to the urgent housing need in the area would be a considerable benefit as would the offer to provide three units of affordable accommodation notwithstanding the fact that there is no requirement to do so, I find that the adverse impacts would significantly and demonstrably outweigh the benefits of the scheme.

Other Matters

35. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for development that affects a listed building or its setting special regard shall be had to the desirability of preserving the building or its setting. The grade II* Alfold House is located opposite the appeal site. As little of this listed building can be seen because it is set behind tall hedges I find that the appeal site is outside of the setting of Alfold House. The proposed development would therefore not be harmful to the setting of the listed building nor contrary to Policy HE3 of the Local Plan which seeks to ensure that proposals do not harm the setting of listed buildings.
36. The appellant has made provision for an affordable element to be secured through a Unilateral Undertaking. This needs to be considered in the context of government policy in the Written Ministerial Statement dated 28 November 2014 and the recently updated statement in Planning Practice Guidance, which set out the circumstances where contributions for affordable housing should not be sought including for small scale development. Having regard to this material consideration I find that based on the proposed number of residential units and floorspace, the provision of affordable housing in this case is not required. Nevertheless, as I have noted above, the appellant has offered to provide three units of affordable housing.
37. The Council indicated that Surrey County Council should be a party to a Section 106 Agreement because of their ownership of part of the site. Although this matter has not been resolved by the main parties, because I am dismissing the appeal for other reasons I do not need to conclude on this matter.
38. The appellant has indicated that in the light of the granting of a Certificate of Lawful Use at Lindon Farm and that the approval of two further dwellings at the farm, the appeal site is surrounded by residential development. Although I have not been provided with details of these decisions I do not regard such matters as significant in terms of this appeal.
39. Concerns have been raised about highway safety, archaeology, the impact on local infrastructure and noise and light pollution. However, these are matters which could be dealt with appropriately through planning conditions were I to allow the appeal.

Conclusion

40. For the reasons set out above, the appeal is dismissed.

Kevin Gleeson

INSPECTOR