

**APPEAL DECISIONS****WESTERN**

		<b>Site, Development and Issue</b>	<b>Inspector's comments on case</b>
1.	<p><b>Waverley Reference:</b> WA/2018/1230</p> <p><b>Officer Rec:</b> Approve</p> <p><b>Committee or Delegated:</b> Committee overturn</p> <p><b>Appeal Decision:</b></p> <p>Appeal Allowed and Costs Awarded</p>	<p><b>Site:</b> Land at Green Lane, Green Lane</p> <p><b>Development:</b> Application under section 73 of the Town and Country Planning Act for a Minor Material Amendment to a scheme for 43 dwellings to allow for the reduction in affordable housing from 43% consented to 30%.</p> <p><b>Issues:</b></p> <ul style="list-style-type: none"> <li>• the sufficiency of the proposed affordable housing provision and the legitimacy of its provision under the S.73 procedure and</li> <li>• the acceptability of the deed of variation to the planning obligation.</li> </ul>	<p><b>Appeal decision:</b></p> <ul style="list-style-type: none"> <li>• The overall number of dwellings would remain at 43, the housing mix little changed, and level of affordable housing provision would move from one policy compliant position to another. Moreover, the previous excess in provision in the appeal permission was not deemed a necessary benefit to outweigh any harm arising from the proposal.</li> <li>• Accordingly, I do not regard the proposed reduction in affordable housing provision to be a fundamental alteration. It is not substantially different from that of the appeal permission, and the S73 procedure is entirely appropriate in enabling the change to be made”.</li> </ul> <p><b>Costs decision:</b></p> <ul style="list-style-type: none"> <li>• The Inspector considered that the Council had acted unreasonably, and concluded that the proposal would not change this context and would result in a policy compliant level of affordable housing and that the proposal would not result in a fundamental alteration to the nature of the appeal permission.</li> <li>• Refusal of the proposal on this basis and the provision of no substantive defence for this appeal amounts to unreasonable behaviour.</li> </ul>
2.	<p><b>Waverley Reference:</b> WA/2017/0022</p> <p><b>Officer Rec:</b> Refuse</p> <p><b>Committee or Delegated:</b> Delegated</p> <p><b>Appeal Decision:</b> Appeal Allowed and application</p>	<p><b>Site:</b> 40 Wrecclesham Hill, Wrecclesham</p> <p><b>Development:</b> Discharge of materials condition for use of artificial slate.</p> <p><b>Issues:</b></p> <ul style="list-style-type: none"> <li>• The effect of the proposed details on the character and appearance of the area.</li> </ul>	<ul style="list-style-type: none"> <li>• Whilst there may not be the appearance of texture to the surface, the detailing to the edge of the artificial slate mimics the appearance of real slate. Given the modern and singular appearance of the dwelling, the use of the smoother roof material is appropriate and suitable. As such, the proposed external materials would not result in any adverse effect on the character and appearance of the area.</li> </ul>

	for costs Refused		
3.	<p><b>Waverley Reference:</b> WA/2018/0348</p> <p><b>Officer Rec:</b></p> <p><b>Committee or Delegated:</b></p> <p><b>Appeal Decision:</b> Appeal Allowed and application for costs Refused</p>	<p><b>Site:</b> The Workshop, Weydon Mill Lane</p> <p><b>Development:</b> Change of use of the existing Workshop (Class B1C) to form a dwelling with associated garden and creation of a wildlife area beyond the proposed garden</p> <p><b>Issues:</b></p> <ul style="list-style-type: none"> <li>The effect of the proposal on the character and appearance of Farnham Conservation Area and the Farnham Green Envelope.</li> </ul>	<ul style="list-style-type: none"> <li>Proposal would not undermine the green open nature of Bishops Meadow due to the retention of the spacious plot and limited footprint extension of the building.</li> <li>The retention of trees along the northern boundary with Bishops Meadow and additional landscaping would help to maintain the green edge to the meadow and soften the effect of the changes on visual quality of the area.</li> <li>Despite the interest provided by the visual changes to the appeal building, given its siting and the modest scale and appearance of the proposal, it would not draw attention away from or interfere with the appreciation of views towards the focal point of St Andrew's Church.</li> </ul>