

**WA/2023/02273** – Erection of four dwellings with associated parking and landscaping following demolition of existing building (amended and additional plans received, 3/11/23, 15/12/23 & 4/1/24) at BOURNE HALL THE BOURNE HALL VICARAGE HILL FARNHAM GU9 8HG

Applicant: Mr & Mrs G & P Branch  
Parish: Farnham CP  
Ward: Farnham Bourne  
Grid Reference: E: 484487  
N: 145389  
Case Officer: Alistair de Joux  
Neighbour Notification Expiry Date: 11/11/2023  
Expiry Date/Extended Expiry Date: 13/12/2023 / 15/03/2024

Committee Meeting Date: Planning Committee 06/03/2024

RECOMMENDATION That permission be REFUSED

#### 1. Site Description

The application site comprising the existing Bourne Hall together with its irregularly shaped plot measuring approximately 692 sq.m in area. It has road frontages to Vicarage Hill and a private lane on its eastern side and the A287 Frensham Road to the west, being located a short distance to the south of the junction of Vicarage Hill and Frensham Road. The closest neighbouring properties are 'Austin Place', a modern building containing five apartments located immediately to the north of the site, and 'Wellbourne' which shares the southern boundary. Site levels fall steeply from the Vicarage Road and private lane frontage towards the A287, rising again on the opposite (western) side of this road to Aveley Lane and The Ridgeway School.

A block plan is provided below as Figure 1 in this report.

The boundary of the Old Church Lane Conservation Area is immediately adjacent to the site frontage to Vicarage Hill, within which there is graveyard on the opposite side of the private lane.

Bourne Hall is considered to be within use Class E(d) (indoor sport, recreation and fitness), with the current use being as a dance school. It is part single-, part two-storey in height with the higher element having a shallow pitched roof and the surrounding single storey areas having flat roof that incorporate roof lights.

The site was partially wooded until fairly recently, although it was noted on site that the majority of trees there have been removed.

## 2. Proposal

The proposal is for the erection of a terrace of four townhouse, with associated parking and landscaping, following demolition of existing building. The proposed dwelling mix is for 1 no. 3-bedroom and 3 no. four-bedroom dwellings. Two car spaces are proposed for each townhouse, with six of them to be accessed from the lane and positioned at right angles to it. The northernmost of the townhouses would utilise the existing vehicle access to the site, which comes off the shorter Vicarage Hill section of this frontage.

The design of the building would feature gables facing Vicarage Hill and at each end of the building, with a mansard roof and large dormer-like features in the roof slope facing Frensham Road. External materials include a mix of brick and render, with tiled roof and uPVC window units which are shown on the elevation drawings with a dark grey finish. The roofs would be of a mansard design over the first floor level, with party walls between dwellings and the flank walls at each end of the terrace standing higher than the roof planes and using the same contrasting brick that would be used on the flank walls.

The arrangement of individual townhouses within the terrace would set the northernmost dwelling towards the Vicarage Hill frontage with the two centre dwellings set further approximately 5m further back, in part to accommodate the car parking accessed from the adjacent lane. The southernmost dwelling would be set a little further towards the lane than the adjacent pair. Each townhouse would have its own garden on the western side of the terrace, arranged to step down the slope on this side of the plot.



**Figure 1: Block plan.**

## 3. Relevant Planning History

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
PRA/2022/02705	General Permitted Development Order 2015, Schedule 2 Part 3 Class	Prior approval required and granted, 06/01/2023

MA - Prior Notification application for change of use of from commercial, business and service (Use Class E) to 3 dwellinghouses (Use Class C3).

WA/2004/0288      Erection of a building to provide 7 flats with associated garaging and car parking following demolition of existing building (as amended by letter and drawings dated 22/3/04).      Refused, 30/03/2004, and subsequently dismissed at appeal.

#### 4. Relevant Planning Constraints

##### **Name**

Farnham Design Statement

Farnham Neighbourhood Plan

Community Infrastructure Levy (CIL) Charging Schedule Zone B

Thames Basin Heath 5km Buffer Zone

Wealden Heaths I Special Protection Area 5km zone

SGN Intermediate and Low Pressure Pipelines

#### 5. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (2018): SP1, TD1, NE1, NE3
- Waverley Borough Local Plan (Part 2) 2023: DM1, DM2, DM4, DM5, DM7, DM9, DM11, DM13, DM 21
- Farnham Neighbourhood Plan 2013-2032: FNP1, FNP7, FNP12, FNP16
- South East Plan: Saved policy NRM6

Other guidance:

- The National Planning Policy Framework 2023 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Residential Extensions Supplementary Planning Document 2010 (SPD)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- Surrey Hills AONB Management Plan (2020-2025)
- Farnham Design Statement (2010)
- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)

#### 6. Consultations and Town/Parish Council Comments

##### **Consultee**

Farnham Town Council      A rebuild is more appropriate than the previous application given the design and materials of the existing building, but the new design is dominant in this elevated

position. This is a restrictive site. Demolition, construction and the limited access on Vicarage Hill will require a detailed Transport Management Plan and Construction Environment Management Plan. The proposed development includes parking spaces to meet WBC Parking Guidelines, safe access and egress must be approved by Surrey Highways.

Local Plan Part 1 (LPP1) policy TD1 Townscape and Design states: account will be taken of design guidance adopted by the Council including design and development briefs, Conservation Area Appraisals and associated Management Plans, town and village design statements and other design policies and guidance produced within subsequent Development Plan Documents, Supplementary Planning Documents and Neighbourhood Plans.

Comments received on reconsultation:

Farnham Town Council maintains its previous comments. A detailed Transport Management Plan and Construction Environment Management Plan is needed for this restrictive site. To minimise disruption, the limited parking spaces on Vicarage Hill must not be obstructed.

Surrey Wildlife Trust	Comments awaited.
Thames Water	No objection, subject to informatives.
Southern Water	No objection (site not located within Southern Water's area).
South East Water	No comments were received.
Surrey County Highways	Further information requested; final comments awaited.
WBC Heritage	No objection
WBC Waste and Recycling	No comments were received.
WBC Property and Estates	No comments were received.
WBC Trees and Landscape	No comments were received.
WBC Green Spaces Common Land	&No comments were received.

7. Representations

67 letters of objection and 29 letters of support have been received.

Objections were made on the following grounds:

- Insufficient car parking.
- Poor visibility for reversing cars using the parking bays provided.
- No Right of Way to use the private access lane.

- Significant increase in building height.
- Impacts on existing hedges and trees on the boundary of the Conservation Area.
- Visual impact on Conservation Area.
- Impacts on the integrity of the adjacent access lane due to the volume of groundworks proposed.
- Overdevelopment of the site and out of keeping with the surrounding area.
- Disregard for the guidelines of the Farnham Design Statement.
- Loss of light; overbearing development.
- Access for properties on Avery Lane would need to be unimpeded for the duration of construction works and thereafter.

Letters in support were for the following reasons:

- The existing building is a dilapidated eyesore and the site is run-down and in need of redevelopment.
- Visually attractive proposal.
- Improved environment.
- The development will provide much needed and sought-after family housing .
- The modern sustainable design is in keeping with other residential property in the area.
- Reuse a brown field site.
- The development will provide ample parking.
- The site benefits from a local train station nearby, public transport and many shops and good parking.
- There are long-standing issues due to the existing use of the site with on street parking by pedestrians.

## **Planning Considerations:**

### **8. Principle of development**

The site's current use is as a community use, including ancillary offices. The building could lawfully be changed to any of the Commercial, Business and Service uses covered by Class E in the Town and Country Planning (Use Classes) Order 1987, as amended in 2020.

As noted in the Planning History section of this report, the property was granted prior approval in 2023 for conversion from Class E use to provide three residential units. While not implemented, and in the event that planning permission is not granted for this proposal, it is considered that this represents a viable fall-back position. For this reason, it is considered that the principle of a change of use to residential has been established as acceptable.

### **9. Design and impact on visual amenity**

The Farnham Design Guide sets out Design Guidelines for the different areas within Farnham. For the area within which the subject property is set, this includes that

*New development should reflect the special character of the Bourne. Designs should respect and be sympathetic to the immediate architectural surroundings in terms of pattern, scale, materials and form.*

As noted earlier in this report, the immediately adjacent residential buildings are 'Wellbourne', which is a substantial part single and part-two storey detached house to the south, and 'Austin Place' immediately to the north which is a building of similar

character. Both have predominantly hipped roofs that in the case of Austin Place also include gabled elements, in common with nearby houses in the Conservation Area (CA). Wellbourne' is largely hidden by surrounding trees in views from Vicarage Hill, and in public viewpoints is more visible from the A287 and Aveley Lane to the west. Austin Place is the closer and more prominent neighbouring building in views from the more immediate surroundings, including from within the Conservation Area although like the subject property, it is just outside the CA boundary. The proposed building's relationship with this neighbour and with the Conservation Area is visually a particularly important one.

Within the Conservation Area (CA), houses are also predominantly hipped roofs although half-hips and gables feature in views from the application site to the closest houses in Vicarage Hill (numbers 3 - 11, odd number range). These are set side by side and exhibit an overall coherence of building styles. Further to the south and also the west, on Averley lane, building styles are more diverse - along A287 Frensham Road, they include large detached houses of twentieth century and more modern design set amongst trees, with the most visible being a pair of semi-detached houses of late Georgian or Victorian origin set close to their road frontage. However this area is somewhat removed from the context of the application site, where the A287 drops into the Lower Bourne area.

Viewed from Vicarage Hill, the proposed building would be of similar height to Austin Place. However, as the northernmost of the four townhouses would be set closer to this road frontage it would be particularly prominent in the streetscene, while the other three houses would also be prominent due to the location of car parking across their lane frontage and the lack of any opportunity to provide landscape screening along this frontage. The modern building design and gabled roof form would be dominant in views from the CA, and while it is of a design that could be successful in a more urbanised setting, it would be unsympathetic to these immediate surroundings in terms of pattern and architecture, scale, materials and form, resulting in a visual discordance with the surrounding residential development and particularly with the buildings and other features of the Conservation Area.

While some of the nearest dwellings in the CA are set side by side with relatively close spacings between them, the proximity of the northernmost townhouse to its neighbour at Austin Place would also result in significant impacts on the amenity of occupiers of some of the flats at, as considered in the next section of this report.

On the Frensham Road frontage, private gardens would be provided for the townhouses, which due to the level changes across the site would drop down the slope with the formation of terraces. As shown in the elevation drawings, the low brick walls proposed there appear to provide a visually pleasant hard landscape features. This elevation does not however show the relationship to the levels of Frensham Road, and it is unclear whether further retaining walls would be required on this frontage and how this would impact on the overall appearance of the site.

Due particularly to the proximity of the building to its northern boundary and Vicarage Hill and lane frontage, the proposal is considered to constitute an overdevelopment of the site which, along with the design issues identified above, would result in a loss of visual quality to the area, including in views from within the Conservation Area. As such, it would not be in accord with Policy TD1 of the Local Plan (Part 1), Policy DM4

and DM5 of the Local Plan (Part 2) and Farnham Neighbourhood Plan Policy FNP1 and FNP7.

#### 10. Impact on residential amenity

Policy DM5 of the Local Plan (Part 2) 2023 sets out that

*Development should avoid harm to the amenity of future occupants and existing occupants of nearby land, buildings and residences including by way of overlooking, loss of daylight or sunlight, or overbearing appearance.*

Separation distances and orientation of windows at properties opposite on Vicarage Hill and to the south at Wellbourne, where an attached garage is the closest part of this adjacent dwelling, are such that no significant impacts on privacy and amenity of the neighbouring occupiers would occur. For 'Austins Place', there is a greater proximity, with a minimum corner to corner separation between the buildings of just under 5m. Four of the five apartments there have windows facing south, with two flats on the ground floor also having small patios on this side of the building and two on the first floor having south facing balconies. All of these face the application site. The application submission shows that views between primary windows at the existing and proposed building would be at oblique angles; however, the two closest existing apartments would have direct views from their living rooms and outdoor spaces towards the flank wall of the closest townhouse and to secondary windows within it. While both of these existing flats are dual aspect, with windows facing east towards the Vicarage Hill street frontage, both have south facing glazed doors opening onto a patio for the ground floor flat, and to a balcony for the first floor flat. For the ground floor unit, such views may be partially screened by existing vegetation, but the first floor flat direct views would be to secondary windows serving a habitable room in the adjacent town house.

The separation distance from the first floor apartment to this adjacent flank wall would be approximately 10m, and from the balcony about 8m. For the ground floor flat at Austins Place, the equivalent distances would be 2m less.

An extract from one of the applicant's drawings is provided at Figure 2; this has been annotated in this report to indicate the relevant features at the closest of the neighbouring flats. These features are indicated by an arrow pointing to the left, to the position of the ground floor flat's patio doors, and by downward pointing arrow to indicate the location of the first floor flat's glazed doors and balcony (the dot indicates the balcony itself).

Two flats on the south-western corner of the building are similarly arranged, with glazed doors opening onto a patio or balcony, although direct views from this pair of flats would be towards and over the rear gardens at the proposed development. As shown at Figure 2, views towards windows at the proposed development would be acutely angled.



**Figure 2:** Arrows have been added to this plan extract to indicate living room windows at the closest apartments at Austin Place. Distances to other adjacent habitable room windows are indicated on the plan (measurements in millimetres; for example 11022 = 11.02m).

No analysis of impacts on daylight and sunlight was provided with the application. The Council's Residential Extensions SPD (2010) contains a number of guidelines that are intended to protect neighbouring development from loss of light and privacy, and from overdominant and overbearing development. While specifically written for developments involving residential extensions, in the absence of any analysis having been undertaken as part of the application submission, these guidelines form a useful reference framework for the assessment of impacts of the proposed new building on the closest neighbouring flats.

The relevant SPD guideline assessments of the proposed development are as follows:

- 25 degree horizontal analysis: This a daylight protection guideline, which provides for a minimum distance of 12m from two storey extensions, measured at an angle of 45 degrees from the closest habitable room window(s).
- 25 degree vertical analysis: This a sunlight protection guideline, and is assessed from proposed ground floor windows facing habitable room windows at the neighbouring property. Although explicitly intended to apply to proposed rear extensions, the application of this guideline here constitutes a helpful indication of how the proximity of the closest townhouse will impact on direct sunlight to the adjacent apartments.

While the SPD guidelines do not have the status of adopted policies, they are nevertheless useful means to assessing the impacts on neighbour amenity that would result from the development. Loss of direct sunlight to the two closest flats would be accentuated by the fact that the proposed building would be located directly to the south of these neighbouring dwellings. The proximity and height of the flank wall would be a highly dominant feature set unacceptably close to the amenity spaces provided for these flats, and window to window views would result in a loss of privacy for the existing occupiers. While this could be mitigated by requiring obscure glazing in the secondary, north facing windows at the proposed development, a perception of overlooking would remain for the neighbouring occupiers, which in combination with the impacts on daylight and sunlight, and the overdominance of the adjacent townhouse, would result in significant harm to the residential amenity and as such



would be contrary to Policy DM5 of the Local Plan (Part 2) 2023 and to the NPPF 2023 (paragraphs 130(f)).

#### 11. The amenities of future occupiers at the development

The development would provide good quality internal accommodation for the occupiers, with gardens reaching to 10m in length. While the internal spaces would be accessible to Building Regulations M4(2) standard, the gardens would however be less accessible due to their stepping down the slope towards Frensham Road. The rear gardens also narrow towards the bottom end, due to the narrowing of this part of the site. In this respect the garden sizes are not in strict compliance with guidance in policy DM5 2 e, which requires that gardens for the private use of dwellinghouses should extend to the full width of the houses. Their proximity to Frensham Road also results in their being less private than would be the case in less constrained sites, and they would also be subject to a degree of overlooking by the south facing balconies on the adjacent apartment building.

While this shortcoming is not considered in itself to constitute a stand-alone reason for refusal, the provision of somewhat under-standard amenity space in this respect it is indicative of the overdevelopment of the site which is discussed in Section 9 of this report, and is therefore noted in the corresponding reason for refusal.

#### 12. Effect on Wealden Heaths SPA

The proposed development is located within the 5 km buffer zone around the Wealden Heaths Phase 1 SPA. The development will therefore result in significant increase in the number of people permanently residing on the site and may therefore the effect on the integrity of the SPA must be considered, in accordance with Policy NE1 of the Local Plan 2018 (Part 1). An appropriate assessment may therefore be required.

The application does not provide any analysis of this impact. Comments from Surrey Wildlife Trust and Natural England are awaited at the time of writing, and any objection raised by them ahead of a decision being made could constitute a reason for refusal.

#### 13. Effect on Thames Basin Heaths SPA

The proposed development is located within the 5 km buffer zone around the Thames Basin Heaths SPA. The development will therefore result in significant increase in the number of people permanently residing on the site and would effect the integrity of the SPA, unless appropriate mitigation is put in place.

In the event that the application was acceptable in all other respects, mitigation could be provided in accordance with the Thames Basin Heaths Avoidance Strategy by contributing towards Suitable Alternative Natural Greenspace (SANG) and strategic access management and monitoring (SAMM) of the SPA. A section 106 unilateral undertaking has been provided by the applicant. In the event that the application was considered satisfactory in other respects, this would need to include an amended location plan to be acceptable.

#### 14. Impacts on trees

It is noted that a number of large trees within the site were felled relatively recently/ As the site is outside the Conservation Area, these were not subject to protection either as part of the CA or by way of any tree protection order. A small number of trees remain on the Frensham Road frontage, and there is a group of prominent pine trees located adjacent to the boundary with Wellbourne. It appears that most of all of these may be off-site. No tree survey or arboricultural impact assessment was submitted with the application, and it is therefore not possible to ascertain whether these trees would be impacted on by the development of the site. Any loss of these trees would impact further on the visual amenities of the area, and the proposal would therefore be contrary to Local Plan (Part 2) policy DM11. This objection has therefore been incorporated into the relevant reason for refusal.

#### 15. Biodiversity and compliance with Habitat Regulations 2017

An ecological survey including bats surveys was undertaken at the site during 2023, and the accompanying report recommends mitigation that would need to be put in place as part of the development, if the application is approved. The date of the application pre-dates statutory requirements under the Environment Act to provide a 10% Biodiversity Net Gain. The removal of trees noted above was undertaken prior to the ecological survey taking place, and provision is made within the proposals for replanting with smaller grown native species of the adjacent to Frensham Road (approximately as delineated with a blue line on the location plan). Subject to these measures being undertaken, the proposal would therefore be in accordance with Policy NE1 of the Local Plan (Part 1), Policy DM1 of the Local Plan (Part 2) and Paragraphs 179 and 180 of the NPPF 2023.

#### 16. Highways and transport impacts

Waverley Parking Guidelines require 2.5 car spaces for residential dwellings outside town centres with three or more bedrooms, which would equate to 10 spaces for the overall development. The proposals include 2 spaces for each house, with the northern townhouse utilising the existing driveway and the other three using parking in front of the houses using Averley Lane as their access. This results in a shortfall of two parking spaces.

A cycle store is also provided for each house.

SCC Highways have requested further information to demonstrate that vehicles could manoeuvre safely into and out of the spaces provided, ahead of providing full comments. Any issues raised will be reported in an update.

It is noted in many representations that the existing use of the building results in significant on-street car parking when classes and events are held there. While no technical evidence has been presented to show that this results in danger to existing road users, it would appear that the development of the site for residential purposes would improve this situation. However, given the size of the dwellings and potential for multiple adult occupiers who are likely to own cars, it is considered that residential redevelopment of this site should provide parking to the adopted standards. A stand-alone reason is not recommended, the under-standard parking provision is again symptomatic of the over development of the site, and this is therefore noted in the corresponding reason for refusal.

## 17. Climate Change & Sustainability

Policy CC1 of the Local Plan (Part 1) 2018 seeks to support development which contributes to mitigating and adapting to the impacts of climate change, including measures that use renewable and low carbon energy supply systems.

Policy CC2 of the Local Plan (Part 1) 2018 seeks to promote sustainable patterns of development and reduce the level of greenhouse gas emissions.

Policy DM2 of the Local Plan (Part 2) 2023 states that all development should seek to maximise energy efficiency and reduce carbon emissions through its design, structure, orientation and positioning, landscaping and relevant technology.

The Council's Climate Change and Sustainability SPD (October 2022) is relevant.

A Climate Change and Sustainability Checklist and a detailed Energy Assessment has been submitted in support of the application. The proposals include energy efficient building materials and the installation of an 8.5 kW air source heat pump. The Energy Assessment demonstrates that high levels of thermal and overall energy performance, and high reductions in greenhouse gas emissions over standard levels of Building Regulations compliance would be achieved. These measures are considered proportionate to the scale of development proposed and would comply with the relevant policies and guidance. The application therefore addresses the requirements of the relevant policies and guidance.

## 18. Housing Land Supply

The Council published its latest Five-Year Housing Land Supply Position Statement, with a base date of 2023. The Council calculates it currently has 3.89 years' worth of housing land supply. Although the housing land supply position is below 5-years, it remains the case that the Council cannot demonstrate a Five-Year Housing Land Supply, paragraph 11 (d) of the NPPF is engaged via footnote 8.

This sets out that, unless the site is located within an area or involves an asset of particular importance that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrably outweigh the benefits when assessed against the Framework as a whole.

The current proposal would provide a small contribution to the housing land supply in the Borough. This is a material benefit, which must be weighed against the other considerations for this application.

## 19. Conclusion

The site is located within an area of particular importance, namely the 5 km buffer zones around the Thames Basin Heaths and Wealden Heaths Special Protection

Areas. It remains to be demonstrated that impacts on these areas can be properly mitigated. Regardless of whether or not these issues can be satisfactorily addressed, the planning balance assessment on other planning issues concludes that the proposal is not in accordance with the Development Plan and that the benefits of providing four additional dwellings would not outweigh the adverse impacts of the development. These impacts are in relation to the character and appearance of the area and the residential amenity of neighbours. As such, planning permission is recommended for refusal.

### **Recommendation**

That permission be REFUSED for the following reasons:

1. The design and layout of the proposal is unsympathetic to the property's setting and surroundings in terms of scale and form, and would result in an overdevelopment of the site and a loss of visual quality to the area, including to views from within the Conservation Area. Impacts on the amenity of neighbouring properties and failing also to meet the Council's standards in relation to car parking provision and garden sizes (widths) are symptomatic of this overdevelopment. As such, the proposal would be contrary to Policy TD1 of the Local Plan (Part 1), Policy DM4 and DM5 of the Local Plan (Part 2), Farnham Neighbourhood Plan Policy FNP1 and FNP7, and the NPPF 2023.
2. By reason of the proximity and height of the northernmost townhouse to key habitable rooms and private amenity spaces at the residential properties to the north, the development would result in a loss of privacy, unacceptable loss of daylight and sunlight, and a loss of amenity due to the overdominance of the adjacent development, contrary to Policy DM5 of the Local Plan (Part 2) 2023 and to the NPPF 2023 (paragraphs 130(f)).

The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2021.

Case Officer Alistair de Joux

---

Signed: \_\_\_\_\_ Date: 16 February 2024

Agreed by Team or DC Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Time extension agreement in writing seen by signing off officer: Yes No N/A

Agreed by Development Manager or Head of Planning Services \_\_\_\_\_

This report has been agreed under the delegated authority by the Head of Planning Services.

Decision falls within ....(number reference) of the Scheme of Delegation  
..... (initialled by Authorising officer)