

West End Action Group (WEAG)

24 May 2021

- **74 HOUSES AT FENNS LANE – APPEAL DISMISSED**
- **4 HOUSES IN FAIRFIELD LANE – APPLICATION REFUSED**

Dear WEAG supporters,

Two pieces of good news arrived at the same time, and both confirmed the importance of the Green Belt and preserving its status.

Fenns Lane

Surrey Heath Borough Council had previously refused permission for an estate of 74 dwellings at Fenns Lane, and the developers had appealed against that decision. Chaired by a Planning Inspector, the appeal was held on 30 March 2021, as a virtual hearing using Microsoft Teams. The developers were represented by a large team headed by a QC. Opposing them were Duncan Carty representing Surrey Heath Borough Council, myself representing WEAG, Jeff Llewellyn representing West End Village Society (and Jeff is also WEAG Vice-Chairman) and Graham Alleway, West End's Councillor at Surrey Heath.

After a full day of debate, followed by a site visit later in the week, and reading all the written submissions (including two lengthy documents from WEAG) the Planning Inspector concluded that the proposal to build 74 houses breached three fundamental principles of Green Belt policy.

First, it would be 'inappropriate development in the Green Belt' – this applies to any new buildings constructed on Green Belt land.

Second, it would be harmful to the openness of the Green Belt. Of course - how could 74 houses not harm the openness of the fields and paddocks on which they were built?

Third, the development would harm the character of the area, in which Fenns Lane has "the appearance and feel of a rural lane" and the area has "a distinct and clear feel and character of being part of the countryside". The development "would be wholly different in character, scale and appearance" and "when seen from Fenns Lane would be viewed as an extension of the settlement of West End into the open countryside", an effect which would be "profound".

However the National Planning Policy Framework lists some exceptional circumstances in which approval for developments might be given, if they are held to outweigh the harm to the Green Belt. The developers argued that the Borough has a shortage of supply of land for development: 4.85 years' worth of identified sites instead of the required 5 years; and that this development would on its own bring the supply up to the target level. Further, there is a serious shortfall in the supply of affordable homes in the Borough. The developers also argued that the

Borough's local plan was out of date, going back to 2012. Moreover part of the proposed site is 'previously developed land'. The Inspector acknowledged these points but ruled that even in combination they were more than outweighed by the harm the development would cause to the Green Belt.

This is my very condensed summary of the Inspector's 10-page report. To download the full report, go to: <https://acp.planninginspectorate.gov.uk>
In the 'Search for a case' box type 3251262. This brings up the case details, including a link from which to download the report, for free.

Fairfield Lane

Although on a much smaller scale, the application to build four houses on Green Belt land at Fairfield Lane was another test of planning policy. Last week Surrey Heath's Planning Applications Committee considered the application.

The Chief Planning Officer, Duncan Carty, recommended refusal. The Committee then heard 4-minute speeches from the applicant, and from me representing WEAG and Fairfield Lane Residents Association. The essence of my 4 minutes was that the site is in the Green Belt; it is outside the defined settlement area of West End; it would be very harmful to the openness of the lane, and out of keeping with the rural character of the lane; it is not infilling; and therefore it is inappropriate development in the Green Belt. There's also a severe drainage problem.

The Committee voted 12 – 0 to refuse permission, with one abstention. Many of us think this application should never have been put forward, because the identical application was refused in 2019, it went to appeal, and the Planning Inspector had dismissed the appeal only eleven months before the application was re-submitted unchanged.

Overall, then, these two cases re-emphasise the importance of the Green Belt which surrounds West End.

Regards

Guy

Guy Consterdine
Chairman, WEAG
guy@consterdine.com