The Planning Inspectorate

Appeal Decision

Site visit made on 2 May 2017

by H Porter BA(Hons) PGDip IHBC

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

Decision date: 25 May 2017

Appeal Ref: APP/Y3615/D/16/3164022
Home Farm Cottage, Rokers Lane, Shackleford GU8 6AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr J Forsyth against the decision of Guildford Borough Council.
- The application Ref 16/P/01445, dated 5 July 2016, was refused by notice dated 9 November 2016.
- The development proposed is extension of existing garage for use as groom's accommodation ancillary to adjoining stables.

Decision

1. The appeal is allowed and planning permission is granted for extension of existing garage for use as groom's accommodation ancillary to adjoining stables at Home Farm Cottage, Rokers Lane, Shackleford GU8 6AF in accordance with the terms of the application Ref 16/P/01445, dated 5 July, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: 14053 S301 REV A; 14053 S302 REV A; 14053 S303 REV A; 14053 S310; 15053 P310; 14053 P311 REV B; 14053 P315 REV A; 14053 P301 A; 14053 P302 A.

    3) The external surfaces of the development hereby permitted, including works making good to the retained fabric, shall be constructed in materials matching in colour, size, style, bonding, texture and profile to those of the existing building.

    4) The occupation of the dwelling hereby permitted shall be limited to a groom, solely employed for the care of polo ponies on the plot edged in blue on the approved plan 14053 S303 REV A, and to any resident dependants.

Application for costs

2. An application for costs was made by Mr J Forsyth against Guildford Borough Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:

- Whether the appeal proposal would be inappropriate development in the Green Belt, with particular regard to whether it would involve the provision of appropriate facilities for outdoor sport, preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.
- The effect of the proposal on the character and appearance of the host building and surrounding area, including its effect on the Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value; and
- If the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development

4. Home Farm Cottage is a detached two-storey dwelling set in spacious grounds. It is located on the outskirts of the village of Shakleford, in an open countryside setting, predominantly rural in character. The site is within the Metropolitan Green Belt, the Surrey Hills Area of Outstanding Natural Beauty (the AONB), as well as within an Area of Great Landscape Value (AGLV), where development is strictly controlled.

5. Saved Policy RE2 of the Guildford Borough Local Plan, adopted January 2003 (the Local Plan) establishes a general position that development in the Green Belt is inappropriate, and so needs to be justified by very special circumstances, unless it is within certain exceptions. The development plan policy pre-dates the adoption of the National Planning Policy Framework (the Framework). Although the essence of the approach to the Green Belt is consistent with the Framework, in relation to outdoor sport and recreation, Policy RE2 requires that the facility be 'essential'. Whereas in the Framework, facilities that are appropriate rather than essential are stated to be exceptions to inappropriate development.

6. The appeal scheme proposes an extension and change of use of an existing detached garage at Home Farm Cottage in order to provide a one-bedroom groom's accommodation. The Council contends that the proposal, which would be a residential dwelling, would not amount to facilities for outdoor sport and recreation. However, the Framework does not preclude a residential dwelling per se, rather it provides for appropriate facilities, which must be a building; be for outdoor sport or recreation; appropriate for the intended purpose; preserve the openness of the Green Belt; and not conflict with the purpose of including land within it.

7. The Council does not dispute that polo falls within the definition of outdoor sport and recreation. The proposal would therefore be a building, providing accommodation for a groom associated with the polo facilities and breeding activities that have taken place on the property for eight years and have expanded over time. In this regard, the appeal scheme would involve a building providing facilities for outdoor sport and recreation.

8. In terms of the appropriateness of the proposed facilities, the appellant has provided an appraisal of need for the proposed accommodation, which relies on the requirement for on-site attendance and expertise outside normal working hours. The appellant has also provided evidence relating to the value of the polo ponies, as well as a list of injuries and incidents that have required expert treatment. Given the proximity of Home Farm Cottage to the stables, it may be possible for the appellant to hear if an incident has occurred; however, it is also clear that the type of injury or incident that can affect ponies requires a degree of expertise that is beyond the appellant's equestrian interest. If an emergency occurred at night, it might be possible for a groom to stay over-night in the garage or to be alerted if living out of sight and earshot of the stables. Irrespective of whether other residential properties under the appellant's ownership could provide accommodation for a groom, given the value of the ponies and the type of incident that can occur and quickly escalate, in my judgement, there is a justified need for close, expert attendance. The proposed facility would therefore provide for on-site, around-the-clock, care and supervision of the polo ponies. As such, the development would be appropriate for its intended purpose, linked to the outdoor sport and recreation that takes place on the appellant's wider landholding.

9. The Council's Officer Report establishes that the proposal would satisfy the test of essential need under Paragraph 55 of the Framework, which is separate to the Green Belt tests. I concur with this view and, in light of the above, likewise consider that there would be an essential need for a rural worker to live permanently at their place of work in the countryside.

10. Openness is an essential characteristic of the Green Belt, the concept of which relates to the state of being free from built development. In relation to the built form of the proposed dwelling, the Council considers there would be a neutral effect on the openness. That said, the absence of visual impact is not necessarily a measure of the effect on openness in relation to the Green Belt. With regards to the intensification of the use of the site, there is already a groom employed as a full-time carer for the polo ponies. It seems reasonable to assume that this groom drives to, accesses and parks at the appeal site. While I accept that, as a result of the appeal scheme, a car may be parked at the site for longer periods, there would not be any significant increase in car journeys.

11. Moreover, the existing groom is employed within day-time working hours. The provision of one-bedroom accommodation, without any garden curtilage, would not, in my judgement, result in any harmful increase in activity on the land, nor any greater permanence throughout the day, over and above that which already exists. While cumulatively Home Farm Cottage may have been subject to numerous extensions and additions, overall I consider that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development. Similarly, given the existence of buildings on the site, there would be no impact on the purposes of including land within the Green Belt.

12. Accordingly, I find upon the first main issue that the appeal proposal would not be inappropriate development within the Green Belt by reason of the provision of appropriate facilities for outdoor sport and recreation, which would be appropriate for the intended purpose, preserves Green Belt openness and does not conflict with the purposes of including land within it.

Character and appearance

13. Home Farm Cottage is an attractive two storey dwelling, a mix of clay brick and tiles that, despite its relatively recent construction, responds to the traditional local vernacular. Sited to the east of the main access, the existing garage and stables are separated from Home Farm Cottage by a parking forecourt. Because of its position close to the site's southern boundary that runs alongside the bridleway extension of Rokers Lane, and owing to a steep drop in local topography and high hedge boundary, only the top of the roof of the existing garage and stable block are visible from it. While clearly part of the same complex, the stables and garage have a barn-like, functional appearance and are read as ancillary to the host dwelling. The eastern end wing of the stable block has a deep footprint compared to the garage structure, as well as a two-storey hay-loft feature on its western elevation. Owing to the proportions and footprint, there is also a visual hierarchy between the stables and the more diminutive scale of the garage.

14. The appeal scheme would extend the existing garage towards the west, effectively filling the gap that currently separates it from the adjacent stable block. While the main elevations would be elongated and a central apex roof introduced, the depth of the building's footprint would be the same as currently exists. Consequently, the forecourt space separating the garage from Home Farm Cottage would remain and, viewed from the main access, the stable block would retain its dominance.

15. The taller central gable would be balanced by a lower roof ridge on either side, reflecting the height of the existing structure. Therefore, while a portion of the building would increase in scale, it would not have an excessively bulky or dominating impact. The increase in scale of the roof would be partly visible from Rokers Lane and the bridleway. However, the change in ground levels and the existing hedge boundary would help assimilate the proposal into the street scene. Even with the introduction of two windows on the building's north elevation, overall the structure would retain a barn-like appearance as well as a visual subservience to both the stables and Home Farm Cottage. In terms of material treatment and detailed design, it would fit within the overall palette and architectural style of the other structures making up the Home Farm Cottage complex. I therefore do not consider the proposal would appear incongruous or harmfully out of place in either the more immediate setting or the wider rural context.

16. The Officer's report states that the proposal would be similar in appearance to the existing buildings within the immediate surroundings, and consequently considers there would be no detrimental impact on the AONB or AGLV; I see no reason to disagree. On the second main issue, therefore, I consider that the appeal proposal would not harm the character and appearance of the host building, nor the surrounding area, which includes the AONB and AGLV.

Conclusions

17. I conclude, therefore, that the appeal proposal would not constitute inappropriate development in the Green Belt and would not cause harm to the character and appearance of the site or the surrounding area. In the absence of Green Belt harm, it is not necessary for me to consider whether there are any other considerations that could constitute very special circumstances, including any under-supply of housing land. As such, the development would

not run contrary to the provisions of Green Belt policy in the Framework or Saved Policy RE2 of the Local Plan; would accord with the aim of Saved Policy RE5 to conserve the existing landscape character and natural beauty of the landscape of the AONB, as well as Saved Policy RE6, which seeks to protect the distinctive landscape character of the area. The proposal would also respect the scale and proportions of the surrounding environment and be of material and detail design that reinforces the identity and character of the area therefore complying with the design requirements established in Saved Policy G5. The proposal would therefore accord with the development plan and Framework taken as a whole and should be allowed.

Conditions

18. The Council have proposed a number of conditions. In addition to the standard time limit condition, a condition is needed to ensure that the development is carried out in accordance with the approved plans. In the interests of the character and appearance of the development and the surrounding area, I agree that a condition to control the external finishes of the development would be reasonable and necessary. Given the intended use of the development and the situation within the Green Belt, as well as the open countryside, it is also necessary and reasonable to restrict the occupancy of the dwelling to a person employed as a groom on the site, and their dependants.

H Porter

INSPECTOR