
Appeal Decision

Site visit made on 5 November 2019

by R Lankshear BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2019

Appeal Ref: APP/L3625/D/19/3235372

South Lodge, Shabden Park, High Road, Chipstead, Coulsdon CR5 3SF

- 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 S Whipp against the decision of Reigate & Banstead Borough Council.
 - The application Ref 19/00788/HHOLD, dated 16 April 2019, was refused by notice dated 12 June 2019.
 - The development proposed is a new 2 bay garage with low ridge line (4m) and catslide roof to rear elevation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council have confirmed that since the determination of the planning application there has been a change in the adopted development plan with the adoption of the Reigate & Banstead Local Plan Development Management Plan (DMP) in September 2019. The DMP has superseded the Reigate & Banstead Borough Local Plan 2005 including policy Co1 which is now no longer relevant despite being referred to in the decision notice. The Reigate & Banstead Core Strategy 2014 (CS) referred to in the decision notice does however remain extant. The DMP policies now carry full weight. In light of the changes, the main parties have had opportunity to comment on the policy changes and whether they have any bearing on the appeal. I have considered the appeal against the current development plan policies.

Main Issues

3. The site falls within the Metropolitan Green Belt. Accordingly, the main issues are:
 - Whether the proposal is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - The effect of the development on the openness of the Green Belt; and
 - If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other

considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

4. The appeal site is an area of land to the north of the dwelling of South Lodge, adjacent to the access drive. The appeal site falls within an Area of Great Landscape Value, as well as within the Shabden Park historic garden and Chipstead High Road Conservation Area. There are a number of mature trees within and surrounding the appeal site, with open land to the south and west. Whilst there are existing outbuildings within the site, the general pattern of development is scattered, contributing to a generally verdant and open character.

Whether Inappropriate Development in the Green Belt

5. The Framework states in paragraph 145 that the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions. One such exception is an extension or alteration of a building provided that it would not result in a disproportionate addition over and above the size of the existing building.
6. However, the building proposed is approximately 17 metres from the main dwelling in an area that is not overly domestic in its character and as such there would be no physical and very little visual relationship between the proposed building and the dwelling. Without any particular guidance in the revised development plan, I consider that given the position of the garage away from the dwelling it would be visually distinct and cannot reasonably be considered as a normal domestic adjunct or extension. Given there is no physical, and very little visual or functional, relationship between the proposed building and the dwelling, I consider that it could not be regarded as a normal domestic adjunct to the dwelling.
7. As such I consider that the development is not covered by the exceptions specified within the Framework or the development plan. Consequently, it would be inappropriate development.

Openness

8. Openness can be defined as an absence of built form. The proposed building would be 4 metres tall at its highest point and would be able to accommodate two vehicles. Whilst it would benefit from screening it would still be visible through gaps between trees and over the existing enclosure to the road to at least some degree. Although there is other sporadic development along the road, including other outbuildings within the appeal site, the surroundings are essentially verdant and rural. Whilst setback from the frontage and obscured to a limited degree, the introduction of a building in a location essentially unrelated from existing development at the site would materially reduce the openness of the Green Belt, both visually and spatially.

Other considerations

9. The appellant indicates that the design and siting of the building would appear similar to a barn when viewed from outside of the site, being subordinate to existing development, and would therefore respect its context. The appellant also indicates that the proposal would not result in the direct loss of protected

trees within the site, maintaining existing vegetative cover and that the proposals would not appear overly prominent and would assimilate within the local landscape designated as an Area of Great Landscape Value. These factors are however to be expected in such situations and are to my mind neutral in the planning balance.

10. The appellant suggests that the dispersed pattern of buildings within the vicinity reflect and contribute towards local historic and rural character. He contends that the proposed building would have a neutral impact and preserve the characteristics of the Grade II listed building Shabden House, Shabden Park Historic Garden and the Chipstead High Road Conservation Area. I acknowledge the presence of sporadic buildings including other outbuildings within the wider appeal site and that the Council do not raise any objection with regard to impact upon the historic environment. I find no reason to differ from this view and consider that the proposals would preserve, and would not unacceptably harm, the character and appearance or the significance of the identified designated heritage assets. However, this is once again to be expected and cannot add to any weight in favour of the proposed development.
11. The appellant contends that a cluster of buildings closer to the host dwelling of South Lodge, would detract more significantly from its historic function as a lodge building to Shabden House. However, such a cluster is not before me and I have been given no evidence that it is a likely fall-back position. Consequently, this does not amount to a benefit in favour of the proposal.
12. The appellant also contends that the building would provide benefits for the appellants including provision of secured storage and sheltered parking and would also serve to obscure existing vehicular parking at the site. I give these matters limited weight in favour of the proposed development.

Planning Balance

13. The proposal would be inappropriate development in the Green Belt and would also harm the openness of the Green Belt. The Framework makes clear in paragraph 144 that substantial weight should be given to such harm. There would be conflict with policy NHE5 of the adopted DMP and policy CS3 of the adopted CS, both of which seek to safeguard the Green Belt from inappropriate development and are in line with the aims of the Framework.
14. Against this has to be balanced the factors in favour of the proposal (other considerations) which I have found to cumulatively carry limited weight. Consequently, these considerations do not clearly outweigh the identified harm to the Green Belt so as to amount to the very special circumstances necessary to justify the development.

Conclusion

15. Therefore, for all of the reasons given above I conclude that the appeal should be dismissed.

Robert Lankshear

INSPECTOR