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## Appeal Decision

Site visit made on 15 January 2020

**by M Allen BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 February 2020**

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**Appeal Ref: APP/R3650/W/19/3238183**

**Hazelbank Nursery, Tilford Street, Tilford, Farnham GU10 2AA**

- 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 John Benson, 1st Call Trees against the decision of Waverley Borough Council.
  - The application Ref WA/2018/2093, dated 21 November 2018, was refused by notice dated 1 April 2019.
  - The development proposed is a storage barn.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The Council's reason for refusal refers to policy RD2 of the Waverley Borough Local Plan (2002) as well as the Residential Extensions Supplementary Planning Document. The Council confirms that these were included in error and should not form part of the reason for refusal. I have considered the appeal on this basis.

### Main Issues

3. The main issues raised in this case are:
  - Whether or not the proposal is inappropriate development in the Green Belt; and
  - If the proposal is inappropriate development 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

*Whether or not the proposal is inappropriate development in the Green Belt*

4. The appeal site is located within the Green Belt. The National Planning Policy Framework (the Framework), at paragraph 145, indicates that, other than in connection with a small number of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. Limited infilling or the partial or complete redevelopment of previously developed land (PDL), whether redundant or in continuing use (excluding temporary buildings),

which would not have a greater impact on the openness of the Green Belt than the existing development, is listed as one exception.

5. The site lies within a complex of existing buildings, where there were also a number of storage containers present. The site appeared to be utilised in conjunction with a tree cutting business. The area on which the proposed building would be located was clearly within the area of land which is occupied by the existing business. Furthermore, the building would be located between an existing building and the boundary which encloses the site. Consequently, the area on which it is proposed to locate the building can, in my view, be considered to comply with the definition of previously developed land, as provided in the Framework. Moreover, the location occupies a space between existing features of built development and therefore would comprise infilling.
6. Paragraph 133 of the Framework indicates that openness and permanence are the essential characteristics of the Green Belt. There is no definition of openness in the Framework but, in the Green Belt context, it is generally held to refer to freedom from, or the absence of, development. Whilst there were a number of storage containers present at the site, the proposed building would be substantially larger than these, rising to a height of approximately 6 metres (m), with a length of approximately 22m and a width of approximately 12m. This would be considerably larger than the storage containers at the site. Consequently, I find that the development would result in an increased quantum of development at the site and would not preserve, but would have a negative effect on, the openness of the Green Belt at this location.
7. The scheme would therefore comprise inappropriate development in the Green Belt, which paragraph 143 of the Framework states is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

#### *Other considerations*

8. I note that the building is intended to be utilised in conjunction with the biomass boiler that has been approved at the site. The biomass boiler will burn the waste wood that is a by-product of the existing operation. Previously, this has been stored around the site on an "ad hoc" basis and the proposal would allow the material to be stored within a building, which would result in a better product. There would also be economic benefits in terms of the improved saleability of the product. It is acknowledged that development is intended to reduce the carbon footprint of the business, as well as facilitating the use of a waste product. These are matters that weigh in favour of the proposal.
9. I further note that no objection is raised on the basis of the effect of the proposal in terms of its visual impact or effect on a nearby Area of Outstanding Natural Beauty and Area of Great Landscape Value. However, the lack of harm in these respects is a neutral consideration that does not add weight to allowing the appeal.

#### *Other matters*

10. There is reference to the removal of a number of buildings within the site since the appellants purchase in 2005. Whilst this is noted, these buildings no longer exist and as such do not have an existing effect on openness. I have considered the appeal on the basis of the existing circumstances.

### **Green Belt Balance**

11. The proposal would be inappropriate development in the Green Belt. The Framework establishes that substantial weight should be given to any harm to the Green Belt.
12. I have had regard to the other considerations above. However, these, individually or when considered together, are not sufficient to amount to the very special circumstances necessary to justify the development.

### **Conclusion**

13. Thus, the proposal would be contrary to the requirements of the Framework and would conflict with Policy RE2 of the Waverley Borough Local Plan, Part 1, Strategic policies and sites (2018) which requires that proposals do not conflict with the Framework's provisions.
14. Therefore, for the reasons given above and having regard to all matters raised, I conclude that the appeal should be dismissed.

*Martin Allen*

INSPECTOR