
Appeal Decision

Site visit made on 22 January 2020

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 April 2020

Appeal Ref: APP/Y3615/W/19/3237757

Land at Berthorpe, Puttenham Heath Road, Compton, Guildford, Surrey GU3 1DU

- 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 Dr Moses Afshari-Mehr against the decision of Guildford Borough Council.
 - The application Ref 19/P/00760, dated 26 April 2019, was refused by notice dated 15 July 2019.
 - The development proposed is construction of one chalet bungalow. Formation of 2 parking spaces, hardstanding area and driveway. Demolition of an existing pair of garages. Removal of an existing driveway.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is within the Green Belt and so the main issues are:
 - Whether the proposal is inappropriate development as defined by national and local planning policies;
 - The effect on the openness of the Green Belt and the purposes of including land within it; 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

Whether Inappropriate Development in the Green Belt

3. The appeal site is located on the south side of Puttenham Heath Road, in countryside within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV). The site is overgrown and occupied by a pair of attached single flat-roofed garages, which are in a poor state of repair. Vehicular access is via a shared access drive off Puttenham Heath Road which serves a number of residential properties located to the west, south and southwest of the appeal site. A low wall has been constructed around part of the southern section of the site, with steps leading up to the northern part,

which is at a higher ground level and contains a number of trees. The proposal is to remove the garages and driveway and erect a detached, 3-bedroomed chalet-style dwelling in the southern part of the site and provide a driveway, turning area and two parking spaces further north within the site.

4. The National Planning Policy Framework (the Framework) confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in Paragraph 145. These exceptions include limited infilling in villages, under Paragraph 145 e), and the complete redevelopment of previously developed land, 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, under Paragraph 145 g).
5. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2019 (GBLP) conforms to the thrust of national Green Belt policy in these respects. The definition of 'limited infilling' for the purposes of Policy P2 is confirmed as including limited infilling within the identified settlement boundaries, as designated on the Policies Map, of a number of villages, including Compton and Puttenham. Recognising that the built form of many villages extends wider than the settlement boundary, Policy P2 also confirms that limited infilling may also be appropriate outside the identified settlement boundaries where it can be demonstrated that the site should be considered to be within the village.
6. The supporting text to Policy P2 confirms that, for the purposes of the policy, limited infilling is considered to be the development of a small gap in an otherwise continuous built-up frontage, or the small-scale redevelopment of existing properties within such a frontage. It also includes infilling of small gaps within built development and should be appropriate to the scale of the locality and not have an adverse impact on the character of the countryside or the local environment.
7. The site has a frontage onto Puttenham Heath Road, with dwellings to both sides, lying within a loose-knit line of detached residential properties. There are also houses to the rear and to the southwest of the site. Within this context, the proposal, comprising a detached, modest-sized dwelling, set back into the site from the road, and largely screened in public views by frontage trees and vegetation, would be in keeping with the layout of built development within the site vicinity, and would not harm the wider character of the countryside. As such, it would comprise 'limited infilling' in accordance with the aforementioned definition within GBLP Policy P2.
8. However, the site does not lie within the designated settlement boundaries of the closest villages of Puttenham, which lies about 1.2 km to the northwest, and Compton, which is located around 1km to the southeast. I have considered whether the site could be considered to be within either village, having regard to GBLP Policy P2, detailed above. Following my site inspection, I saw no evidence of any day-to-day facilities and services that would normally be associated with a village, nor evidence of good public transport links within the immediate vicinity of the appeal site. The distances from the site to both these villages are considerable. This factor, taken together with the nature of the

B3000 Road, which is busy with fast flowing traffic and is unlit and without pavements in places, would not be conducive to easy accessibility from the appeal site by means of walking or cycling to the facilities and services provided by these villages. The future occupants of the new dwelling, which could potentially include the elderly, children and those with mobility issues, would be heavily reliant on the use of private motor vehicles to gain access to the most basic of services. Accordingly, notwithstanding the post code of the site, I do not find the site to be located within either village. Therefore, I conclude that the proposal would not comprise an exception to inappropriate development within the Green Belt when assessed against Paragraph 145 e) of the Framework and Policy P2 of the GBLP.

9. My conclusions on the next issue, the impact of the development on the openness of the Green Belt, will determine whether the proposal would comprise an exception to inappropriate development when assessed against Paragraph 145 g).

Effect on the openness of the Green Belt

10. The Framework makes clear that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. It also states that one of the essential characteristics of Green Belts is their openness.
11. Openness in terms of the Green Belt has a spatial aspect as well as a visual aspect. The proposed dwelling would be in a similar position on the site as the garages it would replace. However, it would comprise a substantially larger building in term of its height and mass. According to the Council's figures, the new building would result in a width increase of 117%, depth increase of 64% and height increase of 172% above those of the existing garage building. In addition, although the proposal is to remove the existing driveway serving the garages, there would be a new hardsurfaced parking and driveway area to the north of the new dwelling. As such, the proposal would result in a significant reduction in the openness of the Green Belt in spatial terms compared to the existing development.
12. The visual impact of the proposal would be confined to a degree by the position of the site adjacent to surrounding residential development, so that the development would be seen within the built context of the existing group of residential properties. Furthermore, the set-back position of the dwelling from the road, within the lower part of the site, together with its chalet-style design and moderate scale, and the presence of trees within the northern part of the site, mean that it would be largely screened within wider views of the site. However, these factors would not completely eliminate the visual impact on the Green Belt openness arising from the three-dimensional size increase over and above that of the existing built form on the site, and they do not affect the spatial impact of the development on Green Belt openness.
13. I therefore consider that in both spatial and visual terms the proposal would have a greater impact on the openness of the Green Belt than the existing development. As such, the proposal would not comprise an exception to inappropriate development when assessed against Paragraph 145 g). It would also fail to safeguard the countryside from encroachment, one of the 5 purposes of the Green Belt, and would therefore not comply with the

fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open.

Other Considerations

14. There would be a small social benefit in providing an extra housing unit. Economic advantages would also arise from the construction and occupation of a new house. However, the provision of one additional unit would make a very small contribution to the supply of homes, and the Council has confirmed that it can demonstrate a five-year housing land supply. I therefore give this limited weight.
15. I acknowledge that the proposal would result in a visual improvement to the site. However, the development is not necessary to enable this to occur. It could be possible to undertake landscape management and repairs to the existing garages without the requirement for the appeal scheme. I therefore afford this limited weight.
16. The Appellant asserts that the development should be granted on the basis that the Council has raised no objection in respect of a number of issues, including: design; impact on the character and appearance of the area, including on the wider landscape of the AONB and AGLV; effect on the living conditions of neighbours and future occupants of the development; highway safety; effect on trees; historic environment and archaeology. I attribute neutral weight to these matters, since they are requirements of the development plan and the Framework in any case.
17. I also attribute neutral weight to the Appellant's assertion that the proposal would comply with current Building Regulations, since this relates to the need to conform to other legislation.
18. Similarly, whilst the use of sustainable materials is generally welcome, I attach limited weight to the Appellant's proposal in the construction of the development, as sustainable construction would be a typical objective of most modern builds.
19. 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.

Other Matter

20. The site is within the 5-7km buffer zone of the Thames Basin Heaths Special Protection Area (SPA), which is a European designated site. In the context of this appeal the responsibility for assessing the effects of the proposal on the protected area therefore falls to me as the competent authority. However, as I have found the scheme is unacceptable for other reasons, there is no need for me to consider the implications of the proposal on the SPA further in this case.
21. Having regard to the letters of support for the development, they do not overcome my concerns on the main issues identified, nor justify the proposal.

Conclusions

22. In conclusion, I have identified that the scheme comprises inappropriate development in the Green Belt as defined by the Framework. The Framework indicates that inappropriate development is, by definition, harmful to the Green

Belt and should not be approved except in very special circumstances. In addition, there are adverse impacts on the openness of the Green Belt and the purpose of safeguarding the countryside from encroachment. Substantial weight should be given to harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are outweighed by other considerations.

23. As explained above, I conclude that very special circumstances to outweigh this harm do not exist here. The proposal would therefore be contrary to Policy P2 of the GBLP and Chapter 13 of the Framework.
24. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR