



Appeal Decision

Site visit made on 26 May 2020

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 05 June 2020

Appeal Ref: APP/A3655/D/19/3243439

Brook Farm, Blackhorse Road, Brookwood, Woking GU22 0QT

- 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 and Mrs Russell Riddy against the decision of Woking Borough Council.
 - The application Ref PLAN/2019/0538, dated 25 May 2019, was refused by notice dated 4 October 2019.
 - The development proposed is a garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies; and
 - If the development is inappropriate, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

3. The site of the proposed development is an area of land, covered in rubble/hardcore, set well back from Blackhorse Road in proximity to existing buildings. The site is located within the Green Belt. The proposal is for the erection of a new detached triple garage.

Whether the proposal would represent inappropriate development

4. The Framework states, at paragraph 133, that the Government attaches great importance to Green Belts. It goes on to say that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5. Policy CS6 of the Woking Core Strategy (2012) (CS) and Policy DM13 of the Development Management Policies Development Plan Document (2016) (DPD) seek to protect the Green Belt from inappropriate development and therefore conform to the thrust of Green Belt policy in the Framework.
6. Paragraph 145 of the Framework establishes that the construction of new buildings should be regarded as inappropriate in the Green Belt. There is no evidence before me, from either main party, to indicate that the proposal would not amount to inappropriate development in the Green Belt. Nonetheless, I note the exception at paragraph 145 g) of the Framework includes the 'limited infilling or the partial or 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'.
7. The proposed garage would not be readily visible from the public domain and would be positioned in proximity to other existing buildings, most of which are greater in size than the proposal. Thus, overall, the proposed development would not represent an unacceptable visual intrusion into the Green Belt.
8. However, the openness of the Green Belt has a spatial aspect as well as a visual aspect. The proposed development, by virtue of its bulk and height, would lead to a loss of openness. Consequently, notwithstanding the absence of visual intrusion from the public domain and its location on the appeal site in proximity to other existing buildings, the proposed garage would have an overall moderate adverse impact on the openness of the Green Belt. Thus, even if I were to take the view that the proposal did relate to the redevelopment of previously developed land, albeit I have limited evidence about this matter, the proposed development would not meet the exception in paragraph 145 g) of the Framework in so far that it would have a greater impact on the openness of the Green Belt than the existing development.
9. Therefore, for the above reasons, the proposal would amount to inappropriate development in the Green Belt and, in this regard, would conflict with Policy CS6 of the CS, Policy DM13 of the DPD and with the Framework. This weighs against allowing the proposed development.

Other Considerations

10. Paragraph 144 of the Framework states that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
11. The appellants say that they need the garage for the security of their vehicles and machinery because they have suffered the theft of one vehicle and trailers at various times. However, notwithstanding that the appellants say that they have had a pair of entrance gates stolen, I have not been presented with any compelling evidence to demonstrate that other security measures could not be employed at the site to reduce the risk of the theft of vehicles, trailers and machinery. Therefore, I afford this matter limited weight in the overall planning balance.

12. The appellants refer to other recent planning applications in the surrounding area in the Green Belt. I have very little information about these other planning applications before me, nor any details about whether they are directly comparable to this case. In any event, I have determined the appeal proposal based on the circumstances of the site, on the evidence before me, and on its individual planning merits.

Other Matter

13. An objection was raised on flood risk grounds on the basis that the submitted flood risk assessment does not assess the flood risk in sufficient detail, taking into account that the site lies within an area at high risk of fluvial flooding (Flood Zone 3). However, the Council's officer report states that the flood risk assessment is satisfactory. Nonetheless, as I am dismissing the appeal on the main issues for the above reasons, it has not been necessary for me to pursue this matter any further.

Conclusion

14. The appeal proposal would be inappropriate development in the terms set out in the Framework. This is a matter to which I afford substantial weight in the overall planning balance.
15. In conclusion, the aforementioned harm would not be clearly outweighed by the other considerations so as to amount to the very special circumstances required to justify the proposal. Therefore, the appeal should be dismissed.

Andrew Bremford

INSPECTOR