

## Appeal Decision

Site visit made on 4 November 2020

**by D Cramond** BSc MRTPI

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

**Decision date: 19 November 2020.**

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**Appeal Ref: APP/R3650/D/20/3250064**

**Maresfield, Pitch Hill, Ewhurst, Cranleigh, GU6 7NL**

- 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 Mrs Davies against the decision of Waverley Borough Council.
  - The application Ref WA/2020/0006, dated 1 October 2019, was refused by notice dated 28 February 2020.
  - The development proposed is the erection of a garage and store following the demolition of existing garage and store building.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a garage and store following the demolition of existing garage and store building at Maresfield, Pitch Hill, Ewhurst, Cranleigh, GU6 7NL in accordance with the terms of the application, Ref WA/2020/0006, dated 1 October 2019, subject to the conditions on the attached schedule.

### Main Issues

2. I consider the main issues are:-
  - Whether the proposal constitutes an inappropriate form of 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.
  - The effect of the development on the character and appearance of the locality.

### Reasons

3. The application site is located within the rural area of Ewhurst and lies within an Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). It comprises a two storey detached dwelling, a detached garage, and a number of outbuildings including a static caravan and stables. The existing garage and storage is located to the west of the main dwellinghouse. It includes a concrete panel construction garage with a corrugated metal roof and a floor area of about 31 square metres. There are two existing open lean-to structures attached to the garage which comprise another 33sqm approximately.
  4. The appeal proposal is as described above and would encompass a three bay garage to east of the existing structure. It would have a height of 4.8m, a
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width of 8.7m and a depth of 5.4m. The proposed garage would be brick and stone built with a tile roof hipped at each end.

*Whether the proposal is inappropriate development*

5. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The replacement of a building is not, however, inappropriate provided the new building is in the same use and not materially larger than the one it replaces. There is no definition of 'materially larger' in the Framework.
6. The national policy advice has to be read together with the relevant development plan policy which in this case includes Policy RE2 of the Waverley Borough Local Plan (Part 1) 2018 (LP). This policy aligns with the Framework; seeking to control inappropriate development generally.
7. The Council's concern, in summary, is that the proposal would represent a new structure materially larger than the one it would replace. However as a starting point I differ from the Council. To my mind, following a review of the evidence and my site visit, the long established and robustly constructed storage areas attached to the concrete garage should, notwithstanding an open side, be counted as existing building area which is to be removed. On this basis the new structure would be of less volume and a smaller footprint than the current garaging and storage erection to be removed. I agree with the Council that the height would be clearly increased in terms of the new against the old. However the difference, given it is contained within a pitched roof form, would not be excessive in terms of bulk and in this instance I am satisfied that it is reasonable to look at the plans in the round. Two key dimensions, footprint and volume, would be reduced and so taken overall in my opinion the scheme would pass a 'not materially larger' test.
8. On the first issue, I therefore conclude that this proposal would not represent inappropriate development for the purposes of the Framework or the development plan policy I cite above.

*Effect on Openness*

9. The Framework makes it clear that an essential characteristic of Green Belts is their openness. Open can mean the absence of development irrespective of the degree of visibility of the land in question from public vantage points; development which would harm openness could be acceptable visually. In other words, openness of the Green Belt has a spatial aspect as well as a visual aspect and the absence of visual intrusion, or the presence of screening, does not in itself mean that there is no impact on the openness of the Green Belt as a result of development.
10. There would be some increase in overall height but a reduction in ground coverage and volume. Taking this together I consider that there could be arguments either way on modest effects on openness. However even if one did consider height to be the key consideration the change would be relatively minor, the bulk helpfully decreasing towards the ridge, and to my mind there would be a limited degree of change. I am also very conscious that the scheme would not be inappropriate development. All told I am satisfied that significant harm to the openness of the Green Belt would not be caused by the scheme.

11. On the second issue, I conclude that this development would not materially affect the openness attribute of the Green Belt and would therefore not be harmful in that regard. It would not conflict with pertinent national or local planning policies or objectives on the matter of protecting openness.

*Effect on character and appearance*

12. To my mind the design of the proposed building would be well chosen for this setting, it would have an appropriate rural idiom and be relatively discreet and have suitable siting in landscape terms and reasonably juxtaposed to the main dwelling. Glimpses of buildings with its architectural characteristics are not rare locally and in context the scale proposed would not be out of place. With the planned demolition of an incongruous existing structure and erection of the new outbuilding there would not be erosion of the visual attributes of the area or decline in rural character.
13. Policies RE3 and TD1 of the LP and retained Policies D1 and D4 of the Local Plan 2002 seek, amongst other matters, to ensure development respects the AONB and AGLV, is of high quality appropriate design, complements its surroundings, and protects environmental quality and local distinctiveness. I conclude that the appeal scheme would not run contrary to these policies.

*Conditions*

14. I shall apply a standard commencement condition and the Council suggests external material samples should be lodged and agreed. I concur this latter condition would be appropriate in the interests of visual amenity. As suggested there should also be a condition that works are to be carried out in accordance with listed, approved, plans to provide certainty. I would also agree that controls be placed on future usage of the structure. This would be in the interests of preventing excessive habitable accommodation, protecting amenity and ensuring garaging provision. A suggested requirement for an electric charging point would be valid in the interests of minimising emissions. A requirement for landscaping works to be agreed and implemented would be appropriate in the interests of visual amenity.
15. On occasions I include some variation from the wording set out by the Council in order to aid precision and accord with national guidance and legislation.

*Overall conclusion*

16. My overall conclusion is that the proposal would accord with the pertinent elements of the Framework and the development plan. The appeal should therefore be allowed.

*D Cramond*

INSPECTOR

SCHEDULE OF CONDITIONS (6)

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

2. No development above slab level shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: PC-19-23.02.01 Rev B, PC19-23.02.02 Rev B, PC-19-23.02.04 Rev B, D100, D001 Rev B and D300.
4. The garage and store hereby permitted shall be used only for the purposes of garaging vehicles or incidental storage.
5. The development hereby approved shall not be first used unless and until one fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) has been implemented and is in full working order and thereafter retained and maintained to the satisfaction of the Local Planning Authority.
6. No development above slab level shall commence on site until a detailed scheme for the landscaping and any replacement tree planting of the site including the retention of existing landscape features has been submitted and approved in writing by the local planning authority. Landscaping schemes shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme. All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or use of the approved development or in accordance with a programme agreed in writing with the local planning authority. All new tree planting shall be positioned in accordance with guidelines and advice contained in the current British Standard 5837. Trees in relation to construction. Any trees shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, and shrubs of the same size and species.