
Appeal Decision

Site visit made on 23 November 2020

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2020.

Appeal Ref: APP/M3645/D/20/3258320

1 Godstone Hill Cottages, Quarry Road, Godstone RH9 8DQ

- 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 David Burns against the decision of Tandridge District Council.
 - The application, Ref. TA/2020/774, dated 27 April 2020, was refused by notice dated 26 June 2020.
 - The development proposed is a single storey detached garage with 2 No. aluminium garage doors. Roof to be a green roof system designed to integrate into the existing sloped landscape and covered with grass.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey detached garage with 2 No. aluminium garage doors. Roof to be a green roof system designed to integrate into the existing sloped landscape and covered with grass, at 1 Godstone Hill Cottages, Quarry Road, Godstone in accordance with the terms of the application, Ref. TA/2020/774, dated 27 April 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) The development shall be carried out in accordance with the following approved plans including all annotations thereon: OS based Site Plan with site edged red; Drawing Nos. A301 Rev. B; A302 Rev. B; A303 Rev. B; GH.06;

Main Issues

2. The main issues are (i) whether or not the proposed garage would be inappropriate development in the Green Belt; (ii) the effect of the building on the character and appearance of the site and its surroundings, and (iii) whether any harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

3. On the first issue, the appellant accepts that the proposed garage would be inappropriate development in the Green Belt. This is because the building does not fall within the list of exceptions to the construction of new buildings
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regarded as inappropriate development in the Green Belt set out in paragraph 145 of the National Planning Policy Framework 2019 ('the Framework') and Policy DP13 of the Tandridge District Local Plan: Part 2 – Detailed Policies 2014 ('the Local Plan').

4. Paragraph 143 of the Framework says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 explains that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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. The latter have been advanced in the grounds of appeal and are referred to in paragraphs 8 & 9 below.

Character and Appearance

5. The Council's view is that the proposed garage with its frontage position adjoining Quarry Road would be a dominating feature of a disproportionately large size for the house and *'constitute a bulky, harsh and incongruous feature significantly harming the rural character of the site'*.
6. This issue is a straightforward matter of planning judgement and in my view it is both logical and acceptable in the particular circumstances of this case for the dwelling to have a garage adjacent to the road and effectively 'dug in' to the rising slope of land which forms part of No. 1's garden. There are already retaining walls in place which are functionally necessary. And as the appellant's photographs illustrate, in views along Quarry Road approaching the site from the junction with the A22 the garage would only gradually become visible given its set back to the rear of the visibility splay.
7. In views from the other direction, the existing retaining wall will also have a shielding effect. I acknowledge that in both aspects the garage roof will be seen at vantage points closer to the site. However, the project is to integrate the structure with the land form. It also includes a grassed roof and the building would sit at the lowest point of the site. I do not therefore consider that its impact would be in any way dominating or harmful to the rural character as the Council suggest. Nor with two bays and a modest storage area would the garage be of an excessive size. I also note that the Surrey Hills AONB Planning Advisor has no objection. Accordingly, on this issue I see no harmful conflict with Local Plan Policy DP7 or with Policy CSP18 of the Tandridge District Core Strategy 2008.

Other Considerations

8. As the proposal is inappropriate development in the Green Belt which is harmful by definition, any other considerations that have been advanced need to be addressed as part of the decision-making process. Local Plan Policy DP14 has anticipated that within the Green Belt and outside of the defined villages there will sometimes be a reasonable requirement for ancillary residential buildings that cannot be permitted development and thereby constitute 'inappropriate development'. Supporting paragraph 14.1 explains this and acknowledges that compliance with this policy would in effect constitute very special circumstances, thereby enabling planning permission to be granted.

9. In order to comply with Policy DP14, a proposal for a new garage or other ancillary domestic building requires all of the four criteria to be met. The first is the building not being dominant or of excessive size with the second not detracting from the rural character and appearance, and I have already addressed these issues. Criteria 3 and 4 refer respectively to the garage not being a replacement for a previous garage converted to residential use and to the proposal not being used for any purpose which is not incidental to the enjoyment of the dwelling. Nothing I have seen or read in this appeal runs counter to these stipulations.
10. I have noted the concerns of the Godstone Parish Council but consider that, on balance, highway safety would be improved because the garage would often be used instead of the roadside parking bay which could then serve as a passing place. In any event the Highway Authority has raised no objection.

Conclusions

11. The proposed garage and associated works are inappropriate development in the Green Belt which by definition is harmful. There would in my view be no additional harm as regards the effect on the rural character and appearance of the site and its surroundings.
12. 'Other Considerations' arise in the form of Local Plan Policy DP14. This sets out criteria which, if met, would comprise very special circumstances to be weighed in the 'Green Belt balance'. In my assessment the appeal proposal would fully satisfy all four of the criteria. Overall, there would additionally be compliance with the relevant policies of the Development Plan and with the Framework, in particular Section 13: 'Protecting Green Belt Land'.
13. In this case the other considerations clearly outweigh the harm to the Green Belt and the appeal therefore succeeds. In allowing the appeal I shall impose a condition requiring the development to be carried out in accordance with the application plans. This is for the avoidance of doubt and is in the interests of proper planning.

Martin Andrews

INSPECTOR