The Planning Inspectorate

Appeal Decision

Site visit made on 30 November 2020

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

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020.

Appeal Ref: APP/M3645/W/20/3254870
Graesand, Long Hill, Woldingham CR3 7EQ

- 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 Susan McCartney against the decision of Tandridge District Council.
- The application, Ref. 2020/348, dated 24 February 2020 was refused by notice dated 7 May 2020.
- The development proposed is the erection of a dwelling and detached double garage with associated access, parking and landscaping.

Decision

1. The appeal is dismissed.

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. For the appellant it is argued that the proposed dwelling and garage would be located within linear housing in-between Graesand to the north west and Hawthorns to the south east. As such, it is claimed the appeal scheme can be reasonably said to comprise *'limited infilling in villages'.* The latter is exception (e) to the preclusion of new buildings in the Green Belt comprising inappropriate development in paragraph 145 of the National Planning Policy Framework 2019 ('the Framework').

4. In the development plan, there is a similar provision in the form of exception C of Policy DP13 of the Tandridge Local Plan Part 2: Detailed Policies ('the Local Plan'). This refers to *'Limited Infill Development within the Defined Villages in accordance with Policy DP12'*. Both of these policies fall within the general ambit of Policy DP10 which sets out the principle of inappropriate development in the Green Belt. Exceptions will only occur when other considerations clearly

outweigh harm to the Green Belt by reason of inappropriateness and any other harm. This closely reflects national policy in paragraph 144 of the Framework.

5. The north west boundary of the defined village of Woldingham includes an alignment along the boundary between Graesand (and therefore the appeal site) and Hawthorns. Hawthorns lies within the defined area and Graesand is outside. Figure 1 in the Council's statement is an extract from the Local Plan Policies Map and this map also features in the Design and Access Statement submitted with the application. From this map I consider it is very clear why the settlement boundary follows the line that it does.

6. Although the density of development is low with the dwellings set in large gardens, there is nonetheless both a coherence and cohesion in the pattern of development, with almost all dwellings sharing a boundary at relatively close quarters with two others, and in some cases three. In the case of Hawthorns there are two, Valley Way to the south east and North Leaze to the southwest.

7. In contrast, the existing house at Graesand is set well away from the boundaries of its neighbours in both spatial and visual terms and is perceived as a property in open countryside rather than part of a settlement with more suburban traits, albeit one with a verdant and rural character. I also agree with the Council that the characteristics of Long Lane itself does somewhat change between Hawthorns and Graesand from more suburban to more rural and thereby reinforces the perception of Hawthorns demarcating the village boundary.

8. More particularly, the appeal building, with its proposed siting between Graesand and Hawthorns would be read with those two dwellings for what it would actually become, a continuation of built form both physically protruding and visually intruding into the open countryside. And in terms of the effect on the openness of the Green Belt, whereas much of the curtilage of Graesand is currently part of a sweep or flow of open countryside along a valley bottom north westwards from Hawthorns and North Leaze, the physical presence of an additional house would have the harmful effect of interrupting that flow.

9. The appellant places weight on case law in the form of *Wood v the Secretary of State for Communities and Local Government* [2014], which established that whether a site lies within a village can be a matter of planning judgement rather than the actual defined boundary. I have also looked at the case of Pixiewood Farm. However, I give these submissions limited weight. This is because for the reasons explained above, I have no difficulty in agreeing with the Local Plan 'authors' of the settlement boundary, who in this case clearly didn't consider that Graesand was logically or visually part of Woldingham. If they had, it would been inside the boundary line.

10. On this issue, I conclude that the appeal site cannot be regarded as limited infilling within the defined village and is not therefore an exception to the classification of a 'new building' within the Green Belt. Accordingly, the proposal is 'inappropriate development'.

Effect on Character and Appearance

11. In the second reason for refusal, the Council says that the proposed building would not be of a high quality design or one which takes into account the local

context and specific setting, including adjusting to the slope of the valley. I note that this is a particular concern of the Wokingham Association.

12. However, whilst there may well be some more work to be done in terms of design to supplement the cross section now submitted with the appeal, I take the view that this type of simple design along with its restrained scale and with timber cladding would be far less assertive in the rural landscape than the existing houses on the other side of the village boundary. Hawthorns, for example, draws the eye because it is a large bulky building with cream painted render, whilst North Leaze stands out because of its contemporary design.

13. Whilst my favourable comments for the appellant on this issue do not add harm to the harm already caused by the development being inappropriate development, neither do they carry sufficient weight to negate the harm identified from the loss of openness and the change of the site from a rural to a more suburban character and appearance.

Other Considerations

14. The Council acknowledges that it is unable to demonstrate a 5 year housing supply and that paragraph 11d) of the Framework is triggered, whereby housing policies are regarded as being out of date. I agree with the appellant's view that every new dwelling is important, because the cumulative effect of housing on small sites will be a major element in eventually reducing supply side problems in the availability of housing. And in the longer term every dwelling that is built will provide social and economic benefits. The new dwelling therefore, is in these terms, a consideration in favour of the appeal scheme and therefore becomes part of the Green Belt balancing exercise.

Conclusions

15. The proposed dwelling is inappropriate development in the Green Belt, which paragraph 143 of the Framework says is harmful by definition. I have additionally found that there would be harm to the openness of the Green Belt. Paragraph 144 advises that substantial weight should be given to any harm to the Green Belt. Accordingly, the proposed dwelling would be in harmful conflict with Government policy in the Framework and Local Plan Policies DP10 & DP13.

16. The design of the proposed dwelling is in principle acceptable and in itself would not cause harm to the character and appearance of the area in conflict with Local Plan Policy DP7. This absence of harm is a neutral factor in weighing the Green Belt balance, but at least it does not add a second tranche of harm.

17. The determining factor is that, even allowing for the 'other consideration' of the tilted balance in Framework paragraph 11d), I consider that the harm to the Green Belt arising from the appeal scheme being inappropriate development and from the loss of openness would not be clearly outweighed by the benefit of increasing the housing supply by a single dwelling. In this circumstance, very special circumstances do not exist and the proposal cannot be justified.

18. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR