



Appeal Decision

Site visit made on 8 December 2020

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 14/01/2021

Appeal Ref: APP/D3640/W/20/3259060

Riverbank House, Castle Grove Road, Chobham GU24 8EF

- 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 & Mrs John Winkworth against the decision of Surrey Heath Borough Council
 - The application Ref: 20/0365/FFU dated 23 April 2020 was refused by notice dated 23 June 2020.
 - The development proposed is demolition of existing double garage and erection of replacement in same location.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing double garage and erection of replacement in same location at Riverbank House, Castle Grove Road, Chobham, Woking, GU24 8EF in accordance with the terms of the application, 20/0365/FFU dated 23 April 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: L0363/69; L363/LPC; L363/67F and L363/68C.
 - 3) The materials to be used in the construction of the external surfaces of the garage hereby permitted shall match those used in the existing building.
 - 4) The development hereby permitted shall be carried out in accordance with the recommendations contained within the Flood Risk Assessment undertaken by Ambiental (Ref:3811/March 2020).
 - 5) The development hereby permitted shall be carried out in accordance with the BS5837 Tree Constraints, Tree Impacts and Tree Protection Method Statement (Ref. 7th March 2020 – BJU/mmi) The tree protection measures shall be retained until completion of the works hereby permitted.

Preliminary Matters

2. The appeal decision on an earlier proposal for a replacement garage has been issued under the reference: APP/D3640/D/20/3250116, granting planning permission for *demolition of existing double garage and erection of replacement in same location*. As the decision was issued after all representations had been received but before my decision, I have given the Appellant and the Council the opportunity to comment. I have taken the comments received from the Appellant, and copied to the Council for information, into account in my decision.

Main Issue

3. The main issue in this appeal is whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies.

Reasons

4. The appeal property is a detached residential dwelling, set in large grounds, on the east side of Castle Grove Road, with two detached garages in front of the property, one to the north and one to the south. The proposal seeks to demolish the existing double garage sited to the north of the property and replace it with a new double garage, with storage space above. The site lies within the Green Belt.
5. The National Planning Policy Framework (Framework) sets out the government's planning policies to secure sustainable development. Paragraph 133 sets out the great importance that the Government attaches to Green Belts and that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 confirms that *inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances*. Paragraph 145 sets out that the construction of new buildings is inappropriate except for a limited number of exceptions including the replacement of a building providing the new building is in the same use and not materially larger than the one it replaces. The Framework does not define further the term 'materially larger'. The Council has not referred to any development plan policies in its refusal notice, referencing only the Framework.
6. The proposed replacement would be larger than the existing garage, with an increased footprint by adding to the width of the garage and a change to the roof form, including an increase in the height of both the eaves and ridge by approximately 0.3m. There would be an increase in the floorspace through the addition of an upper level with internal access for storage purposes, but this would be primarily an internal change and would only affect the external dimensions in a small manner. The changes to the footprint and volume of the building, including the roof height, compared with the existing, would, taken individually and together, be modest. Taking all the differences between the existing and the proposed into account, I do not consider that the proposed building would be materially larger than the one it would replace.
7. The Council has indicated that account should be taken of the cumulative impact of successive developments in the Green Belt; however, the Framework is clear on the basis of the assessment, as set out above.

8. It is my conclusion that the proposed development would not be inappropriate development for the purposes of the Framework. There is therefore no need for any further consideration of the impact on openness, nor for the development to be justified by special circumstances.

Other Considerations

9. The site lies outside but adjacent the Chobham Conservation Area, focussed on the historic core of the village with its several listed buildings. Given the modest scale of the proposal to replace an existing garage within a residential curtilage and the visual screening of the site, I am satisfied that the proposal would respect and preserve the setting of the Chobham Conservation Area. The Council has also raised no objection in this regard.
10. Each proposal must be judged on its individual merits. In addition, there are differences between the appeal proposal under Ref: APP/D3640/D/20/3250116 and the one before me, but I find nothing in that decision letter which contradicts the assessment I have reached in respect of this appeal.

Conditions

11. I agree with the conditions suggested by the Council. A condition requiring the development to be carried out in accordance with the approved plans is necessary for the avoidance of doubt and in the interests of proper planning. I have imposed a condition requiring materials to match those of the existing building to ensure a satisfactory external appearance. A condition requiring the development to be implemented in accordance with the submitted Tree Constraints, Tree Impacts and Tree Protection Method Statement is also necessary to ensure the protection of retained trees. The Council has referred to conditions to be imposed regarding flood risk and I have included that the development shall be carried out in accordance with the recommendations of the accompanying Flood Risk report, to safeguard against flood risk matters.

Conclusion

12. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

L J Evans

INSPECTOR