

Appeal Decision

Site visit made on 9 December 2020

by Rory MacLeod BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2021

Appeal Ref: APP/Y3615/W/20/3257555

Berry Farm, Westwood Lane Wanborough Guildford Surrey

- 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 Cupid Green Ltd against the decision of Guildford Borough Council.
 - The application Ref 19/P/01980, dated 11 November 2019, was refused by notice dated 17 June 2020.
 - The development proposed is erection of agricultural (horticultural) barn and shade tunnel.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by the appellant against the Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is whether the proposal would detract from the landscape character of the area in relation to the scale of the buildings and likely intensity of the use.

Reasons

4. The appeal relates to a small part (about 0.19 hectares) of a large agricultural field located close to a vehicular access to the field by a bend in Westwood Lane. There is a tree belt between the site's eastern boundary and Westwood Lane and a large hedgerow to the field edge adjacent to the site's southern boundary. The site and surrounding area are within the Green Belt and an Area of Great Landscape Value (AGLV). About 230m to the south of the site, on rising land towards the Hogs Back, is the Surrey Hills Area of Outstanding Natural Beauty (AONB).
5. Paragraph 145 of the National Planning Policy Framework (the Framework) states that the construction of new buildings should be regarded as inappropriate development in the Green Belt subject to cited exceptions. One of these is "*buildings for agriculture and forestry*". The proposed buildings would be for horticultural use, which is akin to an agricultural use for planning purposes, and so would benefit from this exemption.

6. Paragraph 141 of the Framework encourages enhancement of the beneficial use of Green Belt including *"looking for opportunities to provide access"* and *"to retain and enhance landscapes, visual amenity and biodiversity"*. Whilst the principle of horticultural buildings is acceptable it is necessary to assess the impact of the proposal on the landscape character of the area, given the AGLV and AONB designations. Paragraph 172 of the Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs.
7. Policy P1 of the Guildford Borough Local Plan: Strategy and Sites (2019) (LPSS) reflects this. Two clauses are pertinent to the proposal: *"(3) Great weight will be given to the conservation and enhancement of the natural beauty of the AONB and development proposals must have regard to protecting its setting;"* and *"(5) The AGLV, as designated on the Policies Map, will be retained until such time as there has been a review of the AONB boundary. Development proposals within the AGLV will be required to demonstrate that they would not harm the setting of the AONB or the distinctive character of the AGLV itself"*. As a designation, the AGLV holds less weight than the AONB in policy terms, but it has acted as a buffer to the AONB and also has its own inherent and distinctive landscape quality.
8. The site is located within landscape type E of the Guildford Landscape Character Appraisal (GLCA), the Wanborough Wooded Rolling Claylands. These are described as predominantly pastoral farmland with sections of arable farmland within a varied field pattern bounded by hedgerows in variable condition. The GLCA identifies a key positive landscape attribute as its peaceful rural character and views to the unsettled rural backdrop of the rising chalk ridge of the Hog's Back to the south. In terms of built development, guidelines with GLCA state that any new large mass of development or bulky structures, overly visually intrusive on this area, should be avoided. Also, that any development should be sited carefully and designed to minimise impact and integrate with the area's rural context.
9. Several buildings are proposed. A barn about 18m in length would be located close to the eastern boundary. A pump shed with two water tanks would be to the north of this. A shade tunnel about 23m in length would be sited away from the field edge towards the site's northern side in a more open part of the site. Drip lines would connect the tanks to a central area to be used for the growing of ornamental trees and shrubs. A hard surface track would be laid from the field entrance around the perimeter of the declared site giving access to the buildings and parking spaces.
10. The barn would be the highest structure, indicated to be 4.34m to its ridge. The shade tunnel is indicated to have a curved roof with a maximum height of 2.92m. Other structures would be smaller. The tree belt to the east is considerably higher than the proposed buildings and together with the hedgerow to the south would provide screening in long views from the south and east from the AONB. The structures would be more open to view from the north and west across open agricultural fields, but in long views towards the AONB, they would be seen against the higher adjacent vegetative backdrop.
11. However, the barn would be a conspicuous feature in close views of the site from Westwood Lane, particularly in winter months. Its flank profile, some 18m in length, would be clearly visible as a close and large mass through the gaps

between the trees in the belt between the road and the site. The barn would be a bulky structure the siting of which would not have been designed to minimise its impact on the landscape context of the site.

12. The green mesh material covering the shade tunnel would help to assimilate the structure into the landscape in longer views of the site. But the tunnel and the barn would be clearly visible as large structures through the field entrance. Whilst agricultural buildings would not be of place within this part of the AGLV, which is largely characterised by open agricultural fields, they are usually associated with commensurately larger areas of open space forming the context of the development as a whole. The proposed buildings would form part of a predominantly hard surfaced development, including the track and parking spaces, which would contrast with the more open character of the AGLV.
13. The application site is set within a larger area outlined in blue on the plans that extends westwards. The appellant's supporting information indicates that the horticultural activities could extend into this area if the initial enterprise is successful. It is unclear how much land would be involved in such an expansion, whether additional buildings would be required or if such an enterprise would have a more open character. Uncertainty in this respect would appear to have informed the Council's comment on "*the likely intensity of the proposed use*". Ultimately however, the proposal has to be determined on the basis of the proposal as submitted. In relation to the compact siting of the proposed horticultural buildings within a limited sized site area which would be predominantly hard surfaced, the development would detract from the prevailing distinctive character of the AGLV.
14. The Council has expressed concern about the impact on the AONB if the screening afforded by the tree belt and hedgerow are lost over time opening up views. Some of the trees appear to be mature to over-mature and the proximity of buildings and vehicular and other activity could have an impact on their longevity. The GLCA encourages proposals to be subject to landscape assessments and to be carefully sited and designed to minimise impacts. A planning condition requiring approval of an Arboricultural Method Statement and Tree Protection Plan prior to the development commencing should ensure that the trees are adequately protected during construction, but it is uncertain how the proximity of buildings and vehicular and other activity could impact on and compromise natural regeneration in the tree belt and hedgerow in the long term. The appellant's Preliminary Ecological Appraisal concludes that the adjacent habitats are of "*low and negligible ecological value*" but their retention is of high importance in relation to landscape objectives.
15. My findings are that the scale of the buildings and extent of hard surfaced areas in relation to the limited size of the site would detract from the distinctive character of the AGLV. Secondly, notwithstanding the presence of adjacent vegetative screening to the site that any erosion of that screening in the long term would result in limited harm to the setting of the AONB. Whilst the prevalence of screening would limit harm to the AONB in the short term, the Framework and Policy P1 state that great weight should be applied to any harm to the AONB. The proposal would thereby conflict with Policy P1 of the LPSS, with the parts of the Framework in relation to "*protecting and enhancing valued landscapes*" such as the AONB and with the objectives of the GLCA.

16. The appellant has referred to those parts of the Framework that support a prosperous rural economy. Paragraph 83 states that planning decisions should enable the sustainable growth and expansion of all types of businesses in rural areas including through well-designed new buildings. My concerns relate not to the principle of a horticultural use on the land, or to the contribution such an enterprise could make to a rural economy, but to the impact of the proposal as designed on designated landscapes.
17. The field is within an area covered by an Article 4 Direction removing permitted development rights relating to fences, gates, walls, other means of enclosure and temporary uses of the land as the Council considers subdivision may interfere with visual amenity. Interested parties objecting to the proposal have referred to this and to unauthorised development on nearby subdivided plots. I noticed these on my site visit and that they are generally in more open locations than the appeal site. The presence of unauthorised development does not remove the requirement for each proposal to be considered on its individual planning merits. For the same reason neither would a permission for development on the appeal site necessarily set a precedent for development elsewhere on subdivided plots.
18. I note that representations against the proposal relate to other matters such as drainage, access arrangements and lighting. These matters could have been addressed by the use of planning conditions if the proposal had been considered acceptable in other respects.

Conclusion

19. Although I have found no harm in respect of the likely intensity of the proposed use, the proposal would detract from the designated landscape character of the area in relation to the scale of the buildings and the extent of the site's coverage by hard surfaces. The appeal should therefore be dismissed.

Rory MacLeod BA(Hons), MRTPI

INSPECTOR