



Appeal Decision

Site visit made on 15 February 2021

by S M Holden BSc(Hons) MSc CEng MICE CTPP FCIHT MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd February 2021

Appeal Ref: APP/M3645/W/20/3259200

Rectory Park Stud, Brickhouse Lane, South Godstone RH9 8JW

- 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 M Fisher against the decision of Tandridge District Council.
 - The application Ref TA/2020/216, dated 29 January 2020, was refused by notice dated 15 May 2020.
 - The development proposed is the removal of Portakabin and the erection of a storage barn to serve the existing equestrian use.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of a portacabin and the erection of a storage barn to serve the existing equestrian use at Rectory Park Stud, Brickhouse Lane, South Godstone RH9 8JW, in accordance with the application TA/2020/216, dated 29 January 2020, subject to the conditions set out in the attached schedule.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the character and appearance of the area.

Reasons

Inappropriate development

3. The appeal site is a small parcel of land in the Green Belt which has an established equestrian use. There are two small stable blocks at right angles to each other and an area of hardstanding. To the north and east are paddocks used for grazing and a sandschool, which are also within the appellant's ownership. There is a dilapidated portacabin to the rear of the stable block and close to the site's southern and western boundaries. There is a dispute between the parties as to the lawfulness of this portacabin. Although that is not a matter for me to determine in this appeal, the presence of the portacabin is only relevant insofar as the proposal seeks to remove it and replace it with a barn in the same part of the appeal site.
4. Policy DP10 of the Tandridge Local Plan Part 2: Detailed Policies, adopted 2014 (Local Plan) states that inappropriate development is, by definition, harmful to the Green Belt and will normally be refused. Proposals involving inappropriate

development will only be permitted where very special circumstances exist. This reflects paragraph 143 of the Framework. Policy DP13 of the Local Plan sets out the Council's approach to the assessment of buildings in the Green Belt. This is consistent with paragraph 145 of the Framework which states that the construction of new buildings should be regarded as inappropriate, subject to a list of specific exceptions.

5. The only exception which is relevant to this case is the provision of appropriate facilities for outdoor sport and outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The proposed barn would occupy a footprint of 40sqm; it would have a low profile roof with a maximum height of 3.2m. This would amount to a change in the amount of development on the site. However, in order to assess the effects of this change on openness it is necessary to consider its scale, location context and any visual implications. In doing so, I will take account of Policy DP17 of the Local Plan, which states that equestrian facilities will be permitted where the proposal meets a series of criteria.
6. The proposed barn would be of modest proportions and situated close to the edge of the site. It would be in keeping with the size and scale of the adjacent stable blocks, would integrate effectively with them and be close to the existing use and the fields where the horses graze. Its proposed location in an enclosed corner of the site would not result in an encroachment of the activities or built form further into the countryside. The barn would appear to be of a suitable size to provide storage of feed for the existing number of horses on a site which already has facilities for stabling, grazing and exercise. It would not be prominent from the surrounding area or look alien in its context given that its appearance would be typical of an agrarian building. I therefore find that there would be no adverse impact on the openness of the site.
7. Taking all these factors into consideration, I am satisfied that the openness of the Green Belt would be preserved, and the proposal would not conflict with the purposes of including land within it. The scheme would therefore meet the requirements of exception B set out in of Policy DP13 of the Local Plan and paragraph 145 b) of the Framework. It would also comply with Policy DP17.
8. I therefore conclude that the proposal would not be inappropriate development. It would not conflict with local and national policies to protect the Green Belt and safeguard it from encroachment.

Character and appearance

9. The barn would be located in the corner of the appeal site, close to the existing stable blocks. Its roof would protrude a little above the fence which marks the eastern boundary of the site, but views of it would be partially screened by the trees and other vegetation in the vicinity. As an agricultural style of building it would not look out of place in this locality, particularly as the adjacent field already contains an electricity sub-station which is enclosed by green metal fencing. It would read as a building that relates to the current equestrian use of the site with its associated stables, hardsurfacing and sandschool.
10. Irrespective of the lawfulness of the existing portacabin, it is in a poor state of repair and is an unattractive feature which does not contribute positively to the area's appearance. The proposal would secure its removal and replacement with a building that would be more in keeping with its rural surroundings.

11. Consequently, I conclude the scheme would not give rise to significant harm to the character or appearance of the area. It would comply with Policies CSP18 and CSP21 of the Tandridge District Core Strategy (Core Strategy) and DP7 of the Local Plan which require new development to respect its context.

Conditions

12. In addition to the standard time limit the Council has suggested conditions in the event that the appeal was allowed. I have considered these in the light of the tests set out in paragraph 55 of the Framework and imposed them where necessary, amending them for the sake of clarity and precision.
13. A condition specifying the plans is needed to provide certainty. Conditions to agree materials and soft landscaping are justified in the interests of the appearance of the development and the surrounding area. I have simplified the landscaping condition suggested by the Council as some of the details requested are not needed in connection with this scheme which will not affect the layout of the remainder of the site.

Conclusion

14. I have found that the proposal would not be inappropriate development and would not result in significant harm to the character and appearance of the area. This leads me to conclude that the proposal complies with the development plan and the Framework. The appeal is therefore allowed, subject to conditions.

Sheila Holden

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin no 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: Site plan 587990-OS plan - existing and proposed and PL01.
- 3) No development above slab level shall take place until details 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.
- 4) No development above slab level shall begin until details of soft landscaping works have been submitted to and approved in writing by the local planning authority. These works shall be carried out as approved in the first planting and seeding season following erection of the barn hereby approved and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

End of Schedule