



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: 23/02/2021

Appeal Ref: APP/L3625/W/20/3258643

Wyatts Paddock, 73 Lonesome Lane, Reigate RH2 7QT

- 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 Rimmer and Ms Alexandra Bridgland against the decision of Reigate and Banstead Borough Council.
 - The application Ref 20/00074/F, dated 14 January 2020, was refused by notice dated 11 March 2020.
 - The development proposed is conversion and alteration of an ancillary building to a residential dwelling (C3).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged a revised application was submitted to the Council. This included amendments to the scheme that incorporated a reduction in hard standing, an increase in soft landscaping and the removal of two windows. This scheme has been granted planning permission Ref: 20/00748/F, subject to a series of conditions which included requiring the removal of 2 existing buildings elsewhere on land in the appellants' ownership and a Section 106 agreement.
3. The plans associated with this alternative scheme were submitted with the appeal and the Council has raised no objection to their substitution. I have therefore accepted them and determined the appeal accordingly.

Main Issues

4. 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;
 - whether the 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

Inappropriate development

5. The appeal site is a parcel of land to the rear of Nos 73 and 75 together with the access driveway that connects the site to Lonesome Lane. It is occupied by a narrow, single-storey former stable building which is currently used for purposes ancillary to the main dwelling at Wyatts Paddocks (No 73). It is part of a larger area within the appellant's ownership which includes a series of paddocks and 4 outbuildings, 3 of which are in a derelict condition. The fourth is a new structure which appeared to be approaching completion at the time of my site visit.
6. Policy CS3 of the Reigate and Banstead Local Plan: Core Strategy, 2014 (Core Strategy) states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances clearly outweigh the potential harm to the Green Belt. This is consistent with paragraph 143 of the Framework.
7. Policy NHE3 of the Reigate & Banstead Local Plan: Development Management Plan, 2019 (Local Plan) sets out a series of criteria which must be met for the extension, alteration or replacement of a building in the Green Belt to be acceptable. The Framework states that new buildings should be regarded as inappropriate and sets out a list of specific exceptions in paragraph 145. Policy NHE5 is broadly consistent with the exceptions set out in b) and c) of paragraph 145. Since the proposal would neither significantly alter the size of the building nor replace it, this policy is of limited relevance to my assessment of the appeal.
8. However, it is agreed that the appeal site constitutes previously developed land (PDL). Paragraph 145 g) of the Framework permits redevelopment of such land, with the proviso that it would not have a greater impact on the openness of the Green Belt than the existing development. Paragraph 146 d) permits re-use of an existing building provided that it is permanent and of substantial construction. However, to meet either of these exceptions the proposal must preserve the openness of the Green Belt and not conflict with the purposes of including land within it. The determining factor in this case is therefore the proposal's effect on openness.
9. Openness is the absence of the development and can have spatial and visual effects. The effect on openness is not only related to a proposal's size but also its purpose and the intensity of its use. In this case the difference in floorspace and volume arising from the minor physical alterations to the building would have a marginal effect on the scale of the development. Its spatial effect would therefore be neutral.
10. The conversion would result in minor physical alterations to the building. However, there would be additional areas of hardstanding for vehicles, patios off the main entrance, the living area and one of the bedrooms. There would be cars parked next to it on a regular basis and domestic paraphernalia would be introduced into the garden area. The separation of the plot from that of No 73 would intensify the use of the site by a different household which would be coming and going independently of the host property. This would give rise to the encroachment of residential activities into the Green Belt with associated visual harm to the openness of the site.

11. I appreciate that following pre-application advice the extent of the plot to be associated with the converted building was significantly reduced. It would provide an adequately sized garden even though it is smaller than other plots in the locality. However, even with its reduced size, it would still represent a different and more intense use of the site which would be harmful to its openness. Whilst the existing ancillary use may generate some traffic movements without definitive evidence to the contrary, I am not persuaded that these would be equivalent to those from an independent dwelling.
12. Taking all these factors into consideration, I consider that the proposal would have a greater impact on the openness of the Green Belt than the existing development. It would therefore fail to comply with either of the exceptions set out in paragraphs 145 g) and 146 d) of the Framework. I therefore conclude that the proposal would be inappropriate development which would conflict with national and local policy to safeguard the Green Belt from encroachment.

Character and appearance

13. Lonesome Lane is characterised by ribbon development scattered along its length. The properties are well separated from one another in generously proportioned plots and with direct road frontage. In the majority of cases the dwellings have front and rear gardens so that each one sits comfortably within its respective plot. By contrast these former stables would be approached via a long drive that sweeps around the rear garden of No 73. Its plot would be significantly more contained with limited space on the western side and most of the garden to the side of the dwelling rather than the rear. This arrangement would be at odds with the predominant pattern of development in the locality.
14. The appearance of the former stables is typical of a rural outbuilding and of a different character to that of a dwelling. The evenly spaced stable doors on the eastern elevation and small windows on the western elevation would be replaced by windows and doors which vary in size and spacing on both elevations. The building would no longer appear as one which is ancillary to the main dwelling resulting in a significant change to its character.
15. The proposal would therefore be harmful to the character and appearance of the area, contrary to Policy DES1 of the Local Plan which, amongst other things, requires new development to reinforce local distinctiveness and have respect for the character of the surrounding area.

Other considerations

16. As I have accepted the amended plans that are part of the alternative scheme, Ref: 20/00748/F, the appellants' have a fallback position which would permit them to convert the existing building to a dwelling in the same way. However, that permission is subject to removal of 2 other buildings which the Council assessed would compensate for the harm to openness arising from the conversion. In the absence of any compensatory measures I have assessed the appeal proposal on its individual merits and found it to be harmful. The fallback scheme is therefore not directly comparable with the scheme before me and carries limited weight in my assessment.
17. My attention has been drawn to conversions of stables and a redundant barn which have resulted in the creation of residential curtilages not far from the appeal site. However, there was no substantive evidence to demonstrate that

those schemes were directly comparable with this one; they therefore carry little weight in my consideration of the appeal scheme which I have determined having regard to its site specific circumstances.

18. The proposal would provide adequate living conditions for future occupiers, would not harm those of adjoining occupiers, would provide adequate parking and not give rise to highway safety concerns. However, these are all requirements of the development plan. The lack of harm in respect of these matters is not a factor in the scheme's favour.

Green Belt Balance and Conclusion

19. I have found that the proposal would be inappropriate development in the Green Belt, due to it having a greater impact on openness than the existing development. This is a matter to which the Framework requires me to attach substantial weight.
20. I have also found harm to the character and appearance of the area. However, as the Council has recently approved in principle a scheme which is similar in terms of its effect on the building to be converted, I give this matter limited weight in my assessment.
21. Nevertheless, there are no other considerations in the scheme's favour that clearly outweigh the harm arising from inappropriateness. The very special circumstances required to justify the proposal do not, therefore, exist.
22. For this reason, I conclude that the appeal is dismissed.

Sheila Holden

INSPECTOR