



Appeal Decision

Site visit made on 22 March 2021

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 April 2021

Appeal Ref: APP/D3640/D/20/3262305

Willow Tree Barn, Bagshot Road, Chobham, Woking GU24 8SJ

- 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 Chris Wood against the decision of Surrey Heath Borough Council.
 - The application Ref 20/0673/FFU, dated 29 July 2020, was refused by notice dated 8 October 2020.
 - The development proposed is the erection of a car port to the front of the dwellinghouse.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a car port to the front of the dwellinghouse, at Willow Tree Barn, Bagshot Road, Chobham, Woking GU24 8SJ, in accordance with the terms of application Ref: 20/0673/FFU dated 29 July 2020, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P16/21/400; Block plan for Willow Tree Barn; and 20.WTB.P01 (Proposed plans and elevations).

Main Issue

2. The main issue is whether the proposal represents inappropriate development within the Green Belt.

Reasons

3. The fundamental aim of Green Belt policy in the National Planning Policy Framework (the Framework) is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
4. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate development in the Green Belt and it is the view of the Council that the proposed car port, as a new building, represents inappropriate development.

5. Despite this, my attention has been drawn to the judgement in relation to *Sevenoaks District Council v SSE and Dawes [1997]*. In this judgement, it was established that an outbuilding can be considered as a normal domestic adjunct and that as a consequence, it was found that such proposals can realistically be assessed in this manner. Accordingly, it is the view of the appellant that the fundamental consideration is whether the proposal would result in disproportionate additions over and above the size of the original building.
6. The appellant has brought my attention to two other appeal decisions whereby the same judgement has been considered. One relates to a detached garage, and one to a cartlodge, and in both instances, the Inspectors conclude that the *Sevenoaks* judgement establishes a logical means against which to assess proposals of this nature. Having regard to the *Sevenoaks* judgement, the Inspector in the Stevenage Road decision before me states that whether the outbuilding should be considered as a normal domestic adjunct is a matter of fact and degree for the decision maker to assess. This is a conclusion with which I entirely agree, and as a consequence, will proceed to make such an assessment.
7. The proposal would introduce an open sided car port with a pitched roof which would provide covered parking for two vehicles. Accordingly, having regard to the scale of the proposal, I am satisfied that it would be domestic in nature. In addition, although the structure would be located to the front of the house, its location would be such that as well as having a functional relationship, it would also have a close physical and visual relationship with the existing dwelling. Consequently, based on the evidence before me, I have no reason to consider that the proposal would not be a normal domestic adjunct.
8. Having established this matter, and as required by the Framework, it is now necessary to consider proportionality. In this regard, the existing dwelling is of a generous scale and has a large 'L' shaped footprint. When assessed in this context, due to the limited size and scale of the proposed car port, it would be entirely subservient in scale and form. Accordingly, the proposal would not be disproportionate to the scale of the existing building.
9. As a consequence, for the reasons identified above, I conclude that the proposal would not represent inappropriate development within the Green Belt. It would therefore comply with the Green Belt protection aims set out within the Framework.

Conditions and Conclusion

10. In the interests of precision and clarity, conditions are necessary to establish the time limit for the commencement of development, as well as to list the approved drawing numbers. Subject to these, the appeal should be allowed, and planning permission be granted.

Martin Chandler

INSPECTOR