



Appeal Decision

Site visit made on 30 April 2021

by Euan FS Pearson BA(Hons) BTP FRGS MRICS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th July 2021

Appeal Ref: APP/M3645/W/20/3260251

Herons Bonsai, Wiremill Lane, Newchapel, Felridge, Lingfield RJ7 6HJ

- 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 Peter Chan of Herons Bonsai Limited against the decision of Tandridge District Council.
 - The application Ref TA/2020/831, dated 5 May 2020, was refused by notice dated 19 August 2020.
 - The development proposed is erection of steel building/shed on existing hard standing for storage and packing parcels purposes to assist in developing the site's online business.
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Decision

1. The appeal is allowed and planning permission is granted for erection of steel building/shed on existing hard standing for storage and packing parcels purposes to assist in developing the site's online business at Herons Bonsai, Wiremill Lane, Newchapel, Felridge, Lingfield RJ7 6HJ, in accordance with the terms of application Ref TA/2020/831, dated 5 May 2020 and subject to the following 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: Drawing Nos. 01 Rev 0 (Block and Location Plan), and 02 Rev 0 (Floor Plan and Elevations); and Sketch of Proposed Building.

Main Issues

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

Preliminary Matter

3. I note that there is a difference between the description in the application form and that used by the Council in its decision notice. I have considered the appeal on the basis of the description shown in the Council's decision notice, as it better describes the development.

Reasons

Inappropriateness of development in the Green Belt

4. The appeal property is a small rectangular site, approximately 20m in length by 10m in breadth, within the larger nursery at Herons Bonsai, a complex of buildings/structures in the Green Belt. The appeal site is enclosed by fencing and, at the time of my visit, was used for the display of plants on either side of a hard surfaced walkway, with dwarf brick walls.
5. The nursery site (the existing development) contains large, permanent greenhouses, office/retail building, car parking, 'learning centre' building and 'tunnels' for growing plants. I consider the nursery site to be previously developed land, and the appeal site within the curtilage of the existing structures.
6. The nursery site sits between/beside other residential properties, including the substantial Wire Mill House and Herons House, as well as Wire Mill Cottage and Nos. 1-4 Pippins: taken together these form a cluster of close-knit buildings, with a resultant impact on the openness of the Green Belt.
7. It is proposed to erect a single storey steel shed, 20m in length by 10m in breadth with pitched roof to a height of 4.3m, finished in olive green. The building would infill a space between existing structures, its shape, form and height not dissimilar to the adjacent greenhouses. Due to this proposed positioning, the limited spacing between nursery buildings/structures and adjacent housing, particularly Wire Mill House, would remain unchanged.
8. Having regard to the existing nursery and cluster, I consider that the proposed development would be of an appropriate scale of infill and would cause no greater impact/harm to the openness of the area.
9. Therefore, the proposal would not be inappropriate development in the Green Belt, in compliance with policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies 2014-2029 (Local Plan) and the Framework. Among other things, these require infill development, on brownfield sites in the Green Belt, not to have a greater impact on its openness.

Character and appearance

10. The proposed shed would be located immediately adjacent to existing greenhouses beside the car park, and close proximity to other greenhouses, about 10m to the south east.
11. Both sets of greenhouses are significantly larger in scale and the proposal would be a subservient, suitably sized, addition to the complex of buildings/structures on the nursery site. The proposed external finish of olive green, although not replicated on the greenhouses, would not be out of place in a commercial horticultural setting such as this.

12. Therefore, the proposal would comply with policy DP7 of the Local Plan and policies CSP18 and CSP21 of the Tandridge District Core Strategy (2008). Among other things, these require a high standard of new development that respects and reflects the character and setting of the local area.

Very special circumstances

13. I have found that the proposal would not be inappropriate development in the Green Belt, therefore, I do not need to consider the question of whether there are very special circumstances necessary to justify the development.

Conditions

14. I have considered the need for conditions against the advice on conditions set out in the Framework and the Planning Practise Guidance. I have imposed standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty and to protect the character and appearance of the Green Belt.

Conclusion

15. For the reasons given above, I conclude that the appeal should be allowed.

Euan FS Pearson

INSPECTOR