
Appeal Decision

Site visit made on 15 June 2021

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2021

Appeal Ref: APP/Y3615/W/21/3270086

**Land to the rear of Hut 60, Queens Road, Bisley Camp, Brookwood
GU24 0NP**

- 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 Wimbledon Common Rifle Club against the decision of Guildford Borough Council.
 - The application Ref 20/P/01553, dated 14 September 2020, was refused by notice dated 9 November 2020.
 - The development proposed is erection of a rifle clubhouse accommodation block.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the refusal of the planning application and the submission of this appeal, a revised version of the *National Planning Policy Framework* (the Framework) was published on 20 July 2021. The main parties were given the opportunity to address this matter, and I have taken this into account where relevant to my decision.

Main Issues

3. The appeal site is located in the Metropolitan Green Belt (MGB). Accordingly, the main issues are:
 - whether or not the proposal would be inappropriate development in the Green Belt as defined by the Framework and development plan policy;
 - the effect of the proposal on the openness of the Green Belt; and
 - if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether the proposal would be inappropriate development

4. Policy P2 of the *Guildford Borough Local Plan: Strategy and Sites (2015-2034)* (2019) (the LP) states that the MGB will continue to be protected against inappropriate development in accordance with the Framework, which confirms

that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework states that inappropriate development is 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 in the Green Belt subject to a number of exceptions as set out in Paragraph 149. These exceptions include the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and recreation, under Paragraph 149 b), provided these preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

5. The proposal is for purpose-built accommodation providing 2 bedrooms with shower and wc facilities to be used on a short-term basis in conjunction with the Wimbledon Common Rifle Club clubhouse, which is due to be relocated to the site of Hut 61 adjacent to the appeal site. The clubhouse, which will include a weapon range, scatt training facility, workshop, common room, office, committee room, kitchen and toilet facilities, replaced a former building, and was approved¹ on the basis that it was an appropriate facility for outdoor sport.
6. The appeal proposal is an amended scheme to that refused by the Council in July 2020², which was the subject of a dismissed appeal³. The appeal Inspector's decision occurred after the date of the refusal of the current appeal scheme planning application and prior to the current appeal submission, and I attach significant weight to it in reaching my decision, having regard to the similarities between the two schemes.
7. The appeal site lies within the Bisley National Shooting Centre (BNSC), where multi-day duration events occur throughout the year, overnight accommodation is prevalent amongst other shooting clubs, and where the Council has previously accepted, in approving other schemes, that there is a reasonable requirement for overnight accommodation in connection with the sport. The appellant's long-standing presence within the BNSC, the extensive range of facilities to be provided with the approved new clubhouse facilities to be built adjacent to the site, and the lack of any evidence to suggest that the appellant would not be participating in such multi-day events, lead me to concur with the view of the previous appeal Inspector that, in respect of the appeal site, in principle, short-term accommodation linked to shooting would provide an appropriate facility for outdoor sport and recreation in the Green Belt.
8. However, I need to be assured that the proposed building is appropriate for its intended use. The previous scheme failed to satisfactorily demonstrate this, and I have noted the previous Inspector's concerns about how the central third of the building would be used for accommodation, having regard to a disproportionately large hall, a substantial storage area and an empty mezzanine structure above.
9. The current proposal has largely addressed these concerns by proposing a building with a smaller footprint/floor space in comparison to the previous scheme, together with a proposed ground floor layout which is more specifically directed towards providing overnight accommodation, including a doubling of

¹ 19/P/00696

² 20/P/00856

³ APP/Y3615/W/20/3257258

the number of bedspaces through the provision bunkbeds, and the inclusion of a corridor access arrangement, toilet/shower facilities, and storage within the bedrooms which are appropriate for the number of beds proposed. As such, I am satisfied that the ground floor element of the building would be appropriate for short-term accommodation.

10. However, I share the previous Inspector's concerns about the proposed building height. Whilst the empty mezzanine has been removed from the scheme, and the first floor element of the building has been reduced in size, there would still be a notable area of internal space at upper level. I am not persuaded that this space is reasonably required for the purpose of displaying honours boards, and that these could not be more appropriately hung in the new clubhouse. Also, whilst I have noted the appellant's supporting letter from ACT Energy which states that the roof orientation and inclination was designed to maximise the solar PV potential of the building, it does not specifically provide any justification for the proposed height of the central part of the building.
11. For these reasons, and notwithstanding the changes that have been made to the previously refused scheme and my conclusions in respect of the proposed ground floor accommodation, although I am satisfied that overnight accommodation would be an appropriate facility for outdoor sport and recreation, I am not satisfied that the proposed building is entirely appropriate for this intended purpose. The proposal would therefore be inappropriate development in the Green Belt, in conflict with LP Policy P2 and the Framework.

The effect on openness

12. There are buildings associated with the BNSC complex extending close to virtually the whole length of 2 of the site boundaries. However, the appeal site itself is undeveloped. The evidence before me is that it was, until recent years, heavily vegetated and unlikely to have been associated with the commercial use of the adjacent buildings. This is characteristic of the location of the site on the southern edge of the complex of commercial and recreational facilities associated with the BNSC complex. The closest buildings to the other 2 site boundaries are in connection with a sporadically located group of residential properties set at a lower level than the appeal site, and within a wooded area surrounding the edge of this part of the BNSC site.
13. The visual impact of the proposal in wider views of the site would be confined to a degree by the surrounding buildings on 2 sides and vegetation around much of the remaining site boundary. However, this would not completely eliminate the visual impact on Green Belt openness due to the three-dimensional element of the proposal.
14. Also, whilst the visual impact of the loss of openness would be limited, openness in terms of the Green Belt has a spatial as well as a visual aspect. Notwithstanding the reduced size of the proposed building footprint from that previously refused, the proposal would be sited in similar position to that of the previous scheme, and would introduce built development into a previously undeveloped area of the Green Belt, beyond the current lines of development on the Bisley Camp and the immediate cluster of buildings. The new building would cover a large part of the undeveloped appeal site. As such, I find that the proposal would amount to encroachment into the undeveloped area, resulting in a loss of spatial openness of the Green belt.

15. For the reasons above, the proposal would fail to safeguard the countryside from encroachment, one of the 5 purposes of the Green Belt, and would not comply with the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open, as set out in the Framework.

Other considerations

16. LP Policy E6 states that the Council will support sustainable rural tourism and leisure developments that benefit business, communities and visitors. The proposal would potentially increase the contribution that sport makes to quality of life, and social and cultural well-being in the area. In addition, the activity associated with the site would contribute to the local economy, including during construction. However, the small scale of the development means that the benefits from these factors would be modest.
17. Whilst the use of solar panels is generally welcome, in accordance with the objectives of sustainable development, I attach limited weight to this factor, as sustainable construction would be a typical objective of most modern builds, and it is a requirement of LP Policy D2 that new buildings shall achieve certain sustainability objectives, including carbon reduction, by way of solar PV panels and/or other measures.
18. The Council has raised no objection in respect of a number of issues, including design, character and appearance, setting of the conservation area and neighbouring living conditions. I attach neutral weight to these matters, since they are requirements of the development plan and the Framework in any case.
19. Consequently, these considerations do not clearly outweigh the identified harm to the Green Belt so as to amount to the very special circumstances necessary to justify the development.

Other Matters

20. The site is located within the 400m exclusion zone of the Thames Basin Heath Special Protection Area (SPA), where new residential development has the potential to significantly adversely impact on the integrity of the SPA. The Council has not carried out an Appropriate Assessment (AA) under the Habitats Regulations, noting that the proposal does not relate to permanent residential use. In the context of this appeal the responsibility for assessing the effects of the appeal scheme on the protected area falls to me as the competent authority. However, as I have found the scheme is unacceptable for other reasons, there is no need for me to undertake an AA and consider the implications of the proposal on the SPA further in this case, since any findings on this matter would not change the appeal outcome.
21. The site lies within close proximity of the Bisley Camp Conservation Area (BCA). Under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act), I am, as the decision maker, required to consider the effects of the development on this designated heritage asset. In determining the application, the Council concluded that there would be no harm to the significance and setting of the BCA. Based on my site visit, which included a consideration of the separation distance between the site and the BCA, and the position of the site behind a large, modern warehouse building, which would screen views from, and into, the conservation area, I concur with

the Council that there would be no harm to the character and appearance or setting of the BCA.

22. The Council considers that the proposal would result in a change of use. Like the previous appeal Inspector, I have assessed the appeal based on the proposal for a new accommodation block linked to recreational use. For this reason, I have not considered it necessary to consider whether this would constitute a change of use in principle.
23. The appellant has drawn my attention to a number of other approvals involving overnight accommodation at the Bisley Camp⁴. The details and circumstances of these schemes are notably different to those of the current appeal, as the previous appeal Inspector noted. In any event, I must determine the current appeal on the basis of the merits of the scheme before me, and the particular circumstances of the appeal site.

Planning balance and conclusion

24. In conclusion, I have identified that the scheme comprises inappropriate development in the Green Belt as defined by the Framework. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition, there are adverse impacts on the openness of the Green Belt and the purpose of safeguarding the countryside from encroachment. Substantial weight should be given to harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are outweighed by other considerations.
25. As explained above, I conclude that very special circumstances to outweigh this harm do not exist here. The proposal would therefore be contrary to Policy P2 of the LP and Chapter 13 of the Framework which seek to protect Green Belt land.
26. I acknowledge a number of third-party objections regarding other matters. However, given that I have already identified that the harm to the Green Belt is not outweighed by the benefits of the proposal, there is no need for me to consider these matters further.
27. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR

⁴ 19/P/01716, 08/P/01730 and 06/P/01416