



Appeal Decision

Site Visit made on 30 November 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 13 December 2021

Appeal Ref: APP/R3650/D/21/3280904

Shepherds Cottage, The Lane, Thursley, GODALMING, GU8 6QB

- 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 Lance Trevellyan of Trevellyan Developments Ltd against the decision of Waverley Borough Council.
 - The application Ref WA/2021/0469, dated 24 February 2021, was refused by notice dated 21 May 2021.
 - The development proposed is extensions and alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 20 July 2021, during the appeal process, the Government published its revised National Planning Policy Framework (the Framework). Both parties have had an opportunity to comment on the revisions where they may be relevant to the case, and any comments received have been taken into account in determining the appeal.
3. Shepherds Cottage is a grade II listed building. The appellant submitted a combined application for planning permission and listed building consent for the proposal. Whilst the Council refused the application for planning permission it granted listed building consent for the same proposal on 26 May 2021.

Main Issues

4. The main issues are:
 - a) Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies,
 - b) The effect of the proposal on the openness of the Green Belt,
 - c) Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, whether these would amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development in the Green Belt

5. Paragraph 149 of the Framework establishes that new buildings within a Green Belt are inappropriate unless, amongst other things, they constitute the

extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building. 'Original building' is defined in the Framework glossary as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. Policy RE2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018 (LP 2018) accords with the Framework and establishes an overriding objective of protecting the Green Belt against inappropriate development.

6. Saved Policy RD2 of the Waverley Borough Local Plan 2002 (LP 2002) refers to extensions to dwellings in the countryside both within and beyond the Green Belt and suggests a date of 31 December 1968 for the purposes of calculating the original dwelling. The appeal site is outside a defined settlement boundary. However, supporting paragraph vii clarifies that the Policy does not apply to dwellings that immediately adjoin or which, in visual terms, are closely related to the defined settlement boundary.
7. The settlement boundary immediately adjoins the existing dwelling, and the existing dwelling faces towards the boundary and towards the developed area of the village. It faces onto and is at the edge of the lane, which is characterised by development. It marks the southwestern edge of the village. Its domestic curtilage is well defined by enclosing woodland and does not form part of the wider landscape character to the south and west. I am thus of the view that Saved Policy RD2 of the LP 2002 does not apply to the appeal proposal.
8. Thus, the proposal does not need to be considered in the context of the original dwelling in 1968, but rather the size of the dwelling on 1 July 1948, as defined by the Framework. The size of the dwelling at this time is a matter of disagreement between the parties. A sizeable outbuilding existed alongside the dwelling in 1912 as evidenced by an old photograph. Evidence also suggests that it was attached to the dwelling and that an opening from the dwelling gave direct access into the outbuilding. On the basis of this physical relationship I am satisfied that this outbuilding can be considered to have formed part of the building in 1912.
9. This outbuilding had been removed by the time a further photograph was taken in 1969. Much time has been spent by the parties reviewing the various evidence for the intervening years to establish whether the outbuilding still stood in 1948. It is clearly shown on historic maps of 1895 and 1913. The crucial 1948 map is much less clear. This map does not have the same level of detail and it is noticeable that it depicts other nearby buildings in a much more simplistic manner to the map of 1913. The 1961 map also presents buildings in a similarly simplistic manner. Unlike the 1913 map, although the appeal building appears to be longer than it does on the 1970 map, it is not possible to easily identify its shape. It is suggested in the submissions before me that the depiction of the building on the 1948 map is more rectangular than square, which could indicate the presence of the outbuilding, however I note that the main dwelling is not depicted as a square on the 1913 or 1895 maps.
10. I am mindful of the very poor condition of the outbuilding photographed in 1912. Indeed, the far end of it looks like it was close to collapse at that time. I consider it unlikely that it would have survived until 1948 unless it had received significant repair. On the basis of the poor condition of the building in 1912 and

the significant lack of clarity over when it was removed, I cannot be sure that the outbuilding was still standing in 1948.

11. What I can be sure about is that the historic dwelling, which had a modest scale, was substantially extended during the 1970s and 1980s, to include the rearward two storey extension. The proposal before me would see the building extended again, and would include a rearward two storey extension that would significantly increase the overall size and mass of the existing building. I am therefore of the view that the proposed extensions, in combination with the existing extensions, would result in disproportionate additions over and above the size of the original building.
12. The Council has granted listed building consent for the appeal proposal, and the Council's Historic Buildings Officer considers the proposal to be acceptable on heritage grounds. The appellant suggests that this demonstrates that the proposal would be proportionate. However, an assessment of the proposal under section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) is quite different to the Green Belt assessment.
13. Similarly, it is suggested that the lack of harm in relation to the Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value should be taken into account in the Green Belt assessment. There is however no scope for me to take into account visual impact in my assessment of the proposal under paragraph 149 c) of the Framework.
14. In summary, the proposal would be inappropriate development in the Green Belt. It would not accord with Policy RE2 of the LP 2018, which seeks to protect the Green Belt against inappropriate development.

Openness

15. A fundamental aim of Green Belt policy is to keep land permanently open as defined in the Framework. The essential characteristics of Green Belts are their openness and their permanence. The openness of a Green Belt has a spatial aspect as well as a visual aspect.
16. The proposal would extend the dwelling to the side and the rear. The addition to the existing two storey rear extension would be substantial. The proposal would therefore have a moderate adverse impact on the Green Belt in spatial terms.
17. In terms of the visual aspect of openness, the extensions would relate to the existing dwelling in a manner that would not harm the wider character or appearance of the area. The larger extension would be at the rear and would not be visible from the lane or beyond the garden. I am thus satisfied that the proposal would not have an adverse impact on the openness of the Green Belt in visual terms.
18. The proposal would therefore have an adverse impact on the openness of the Green Belt in spatial terms only.

Other considerations

19. In support of the proposal it is suggested that it would include the removal of the existing flat roofed garage. The existing garage is not of a design that respects the character of the listed building or the conservation area. It is

prominently sited alongside the lane. However, the garage would be replaced. Its replacement, although smaller in footprint, would be further from the existing dwelling, towards undeveloped countryside. Therefore, I give this consideration moderate weight.

20. The proposal would improve the layout of the existing dwelling and would deliver a larger master bedroom as well as a larger multi-functional living space to the ground floor. However, although some of the existing rooms are small, the current layout appears to be functional and sufficient to provide a comfortable living environment to its occupants. Accordingly, I give this matter little weight.
21. I am mindful that the Council has granted listed building consent for the proposal, and has thereby concluded that the proposal would preserve the building's special interest. It is also satisfied that it would preserve the character of the Thursley conservation area (TCA). On the basis of the information before me and my assessment of the proposal I am satisfied that the proposal would preserve the building's special interest and the character of the TCA, having regard to sections 66(1) and 72 of the LBCA. These matters are however neutral and, setting aside the benefit of removing the existing garage which I have already addressed, they do not weigh in favour of the proposal.
22. The appellant suggests that paragraph 11 d) of the Framework should be engaged as the Council is unable to demonstrate a 5 year supply of deliverable housing sites. However, with reference to footnote 8, as the proposal does not involve the provision of housing, I am satisfied that this is not a relevant matter and accordingly the tilted balance is not engaged.

Conclusion

23. The proposal would be inappropriate development in the Green Belt. The Framework establishes that substantial weight should be given to any harm to the Green Belt and development should not be approved except in very special circumstances. In addition, I have found that the proposal would also have a moderate impact on the openness of the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
24. The other considerations before me carry limited weight. Consequently, the very special circumstances necessary to justify the development do not exist.
25. Therefore, for the reasons above, I conclude that the appeal should be dismissed.

A Tucker

INSPECTOR