



Appeal Decision

Site visit made on 29 November 2021

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2021

Appeal Ref: APP/Y3615/W/21/3275977

Round Tree Farm, The Street, West Horsley KT24 6HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Alex Jordan (Round Tree Development Limited) against Guildford Borough Council.
 - The application Ref 20/P/02122, is dated 10 December 2020.
 - The development proposed is for the conversion of three agricultural barns to form a detached dwelling and an associated garage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The main parties agree that description of development provided on the appellant's appeal form is correct. I have proceeded accordingly.
3. Although the appellant has suggested that the Council's application process could have been more expedient, this is a matter for the parties and not for my consideration as part of this case.
4. The Government published a revised *National Planning Policy Framework* (the Framework) in July 2021. All references to the Framework in this decision relate to the updated document.

Main Issues

5. The main issues are:
 - whether the proposal would represent inappropriate development in the Metropolitan Green Belt (the Green Belt), and if inappropriate development, the effect of the proposal on the openness of the Green Belt, and whether any harm by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development,
 - sustainability, and;
 - the effect of the proposal on the Thames Basin Heaths Special Protection Area (SPA).

Reasons

Inappropriate development

6. The appeal site is located in the Green Belt and the 400m to 5km zone of the SPA near to the settlement of West Horsley. The immediate built environment is typified by loose-knit development bordered by agricultural type fields that is strung along the main road known as 'The Street'. The site is accessed via a short turning near to the junction with 'Long Reach' which leads to a farm courtyard type area that is flanked by a number of modest dwellings and a range of agricultural and livestock barns.
7. The barns include a redundant timber-frame storage barn with a corrugated roof that is attached to a brick-built store with a slate roof and an open-sided portal metal frame structure with a gravel type floor to the rear. To the other side of the courtyard there is a single-storey building with a clay tile roof that faces towards the timber frame barn which is in a similar state of disrepair to the other structures.
8. The proposal is to convert the three agricultural barns and the single-storey building into a 3 bedroom residential dwelling with a garage and a garden.
9. It has been brought to my attention that there are two prior approval schemes¹ adjacent to the appeal site and that there is an extant permission for the conversion of the barns into a single dwelling.² These are noted. However, I have limited details of the prior approval schemes before me, and the extant permission is for a scheme of a different scale altogether to the proposed development and does not include the portal frame building. Therefore, as is correct I have considered the proposal on its own planning merits.
10. The Framework sets out clearly in Paragraphs 147-151 that unless an exception can be demonstrated that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except where very special circumstances exist. In this case the appellant asserts that the exception set out in Paragraph 150 (d) of the Framework applies as the proposal would be the re-use of buildings that are of a permanent and substantial construction.
11. The appellant contends that the barns have elements of a domestic structure. However, I have no convincing evidence to persuade me that the appeal buildings have ever been occupied as a residential dwelling(s). I am nonetheless satisfied that the timber-frame barn, store and single-storey building would represent the re-use of a building as they appear to have been a feature at Round Tree Farm for a considerable period of time, as evidenced by the submitted 'Heritage Collective' heritage note.
12. Moreover, I noted at my site visit that the timber barn, store and single-storey building, while less than pristine, are of a solid and robust construction that include hard-wearing materials such as aged timber, roof tiles, brickwork walls and have some areas of made flooring.

¹ 19/W/00053 and 19/W/0054

² 17/P/02156

13. Whereas, the portal frame building, which is an essential component of the proposal, has a more contemporary open-steel framework with a relatively light-weight corrugated metal roof and a rough unmade floor. As such, whether the proposed development would retain the architectural form and appearance of the buildings or not, to wholly convert the combined barns into a residential dwelling would require extensive construction works to the portal structure. Therefore, in the planning judgement, I conclude that the requirements for an exception included in Paragraph 50(d) of the Framework have not been met. It follows then that the development would be inappropriate development in the Green Belt.

Openness

14. Given the timber-frame barn and store have stood on the site for many years, I acknowledge that the loss of openness that would be directly attributable to these sections of the proposal would not be great in itself. However, the portal structure would be transformed from a simple open-sided agricultural type barn into a solid and enclosed building with timber clad elevations and urban style fenestration. Indeed, the resultant dwelling would be substantially larger than the existing buildings. Therefore, in comparison to the existing open-sided building, this section of the proposal would have a stark and abrupt visual impact on the Green Belt, particularly when viewed from 'Long Reach' and the surrounding fields. Furthermore, the single-storey building would be extended to one side to form a garage, and hence be of some bulk and mass in comparison to the existing building.
15. Consequently, when considered as a whole, I conclude that the proposal is inappropriate development that would materially harm the openness of the Green Belt.

Green Belt balance

16. Inappropriate development and harm to openness is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the Framework requires that substantial weight is given to any harm to the Green Belt. Moreover, very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations to justify the development.
17. I acknowledge that there have been a number of letters of support for the proposal, and that the proposed materials would also be of a type and quality that would accord with the appearance of the agricultural surroundings. Indeed, the development would have the look of a well-maintained and historic agricultural building in comparison to the dilapidated structures, to which I attribute some moderate weight.
18. In addition the proposal would offer a range of economic, social and environmental benefits associated with a new dwelling. These would include; employment opportunities during construction, one new home towards the Council's housing land supply, and the patronage of services and social activities in the local area by the additional household. Moreover, the proposal would include a number of renewable and sustainable technologies. However, given the proposal is for a single dwelling I attribute these benefits limited weight.

19. I have found that the proposal is inappropriate development that would erode the essential characteristics of the openness of the Green Belt. Furthermore, the substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate that very special circumstances exist.
20. Accordingly, the proposal does not meet the requirements of Policy P2 of the Guildford Borough Local Plan strategy and sites 2019 (GBLP), which says, amongst other things, that Green Belt will continue to be protected against inappropriate development in accordance with the Framework.
21. For similar reasons, the proposal is contrary to Paragraph 147 of the Framework which says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Sustainability

22. The Council contend that the details of sustainable design and construction practice related to the proposal are less than ideal. Nonetheless the appellant forwards in the submitted statement of case that the re-use of the buildings would have environmental benefits including the use of renewable and sustainable technologies. I also acknowledge the relative proximity of the proposal to the village of West Horsley. However, from the minimal evidence before me, I cannot be certain if the proposal would achieve aims such as, but not limited to, the reduction of carbon emissions, and the requirements of Policy D2 of the GBLP, or that these requirements could met through the imposition of a condition(s).
23. I conclude therefore, that the proposal would not meet the aims of Policy D2 (1 & 3) of the GBLP, which requires that conversion and extensions to existing buildings should include information setting out how sustainable design and construction practice will be incorporated, and the Framework when read as a whole.

SPA

24. The appeal site is located in the SPA and is therefore, subject to the Habitat Regulations which protect the SPA. If I had come to a different conclusion, it would have been necessary for me as a competent authority to undertake an 'Appropriate Assessment' and give further consideration to the likely effectiveness of any mitigation measures, including the appellants recently submitted Unilateral Undertaking. However, as I have found against the appellant on the main issues, and therefore planning permission is to be refused, this matter need not be considered any further in this case.

Conclusions

25. For the reasons given above I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR