



Appeal Decision

Site visit made on 2 February 2022

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 FEBRUARY 2022

Appeal Ref: APP/Y3615/D/21/3281401

Glengarden, Clandon Road, West Clandon GU4 7TL

- 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 & Mrs Carter against the decision of Guildford Borough Council.
 - The application Ref 21/P/01247, dated 3 June 2021, was refused by notice dated 30 July 2021.
 - The development proposed is construction of a single storey oak framed building comprising a double garage and office/gym with a pitched roof.
-

Decision

1. The appeal is allowed and planning permission is granted for construction of a single storey oak framed building comprising a double garage and office/gym with a pitched roof at Glengarden, Clandon Road, West Clandon GU4 7TL in accordance with the terms of the application, Ref 21/P/01247, dated 3 June 2021, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: SP01, Mr Mike Carter Rev C, TQRQM21154141855543.

Preliminary Matter

2. I have used the description of the proposal from the Council's decision notice. It adequately and simply describes the proposed development instead of the much longer and detailed description given on the application form.

Main Issues

3. The main issues are:
 - Whether the proposal is inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies.
 - If the proposal is inappropriate development, the effect on the openness of the Green Belt and whether the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal is inappropriate development

4. The National Planning Policy Framework July 2021 (the Framework) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; and the essential characteristics of Green Belts are their openness and their permanence. The Framework goes on to state that inappropriate development is harmful to the Green Belt. The construction of new buildings in the Green Belt should be regarded as inappropriate, and thus should be approved only if very special circumstances exist, unless they come within one of the categories in the closed list of exceptions in paragraph 149 of the Framework.
5. Of relevance to this appeal the following are listed as exceptions in paragraph 149: 'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces' and 'limited infilling in villages'. These requirements are reflected in Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 Adopted 25th April 2019 (Local Plan) which also contains further guidance on the interpretation of these exceptions.

Limited infilling in villages

6. In this location, London Road is characterised by large, detached dwellings set in their own grounds on both sides of the road. Their domestic front gardens and boundary treatment indicate a continuously developed frontage from London Road. The road has a suburban feel and appears to function as part of West Clandon village. Therefore, for the purposes of paragraph 149 of the Framework and Policy P2 of the Local Plan the appeal site is within the village of West Clandon. Nevertheless, the site also remains within the Green Belt. Therefore, Green Belt policies and the purposes of the Green Belt remain relevant to this appeal.
7. The supporting text to Policy P2 of the Local Plan provides further guidance of what is considered to be limited infilling, which includes infilling of small gaps within built development.
8. There is a small gap between buildings at Glengarden and the adjoining house, Wayside. The proposed garage would be sited in this location. Furthermore, the garage would be modest in scale relative to the host dwelling and other houses in the road, including in terms of both its height and footprint. Therefore, the proposed development would represent limited infilling in villages.
9. The proposed development is notably different to a much larger previously approved scheme for a new dwelling in what was the garden to Glengarden as well as a new garage for Glengarden¹. Nevertheless, I find that the appeal scheme before me now would be limited infilling in a village when considered on its own merits.
10. Consequently, for the reasons described above the development that is the subject of this appeal is not inappropriate development in the Green Belt in the terms of the Framework. As such, in this respect, it complies with Policy P2 of the Local Plan, the aims of which are set out above.

¹ APP/Y3615/W/19/3228046

11. As the development is not inappropriate in this regard it is not necessary for me to consider the appeal against the other exceptions at paragraph 149 of the Framework that have been drawn to my attention.

Conditions

12. I have had regard to the various planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents.
13. I am attaching the standard implementation condition, and in the interests of certainty a condition to define the plans with which the scheme should accord. A condition requiring the scheme to be built in materials to match the existing property would be necessary to preserve the character and appearance of the area.

Conclusion

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

H Miles

INSPECTOR