



Appeal Decision

Site visit made on 13 May 2022

by J Woolcock BNatRes MURP DipLaw MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 May 2022

Appeal Ref: APP/K3605/W/21/3283598

Apps Court Farm, Hurst Road, Walton-on-Thames KT12 2EG

- 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 Apps Court Farm Ltd against the decision of Elmbridge Borough Council (EBC).
- The application Ref:2021/0304, dated 27 January 2021, was refused by notice dated 26 March 2021.
- The development proposed is the erection of a two-storey extension to archery building.

Decision

1. The appeal is dismissed.

Preliminary matters

2. The appeal site is part of the Apps Court Farm recreational and leisure complex, which includes a wide range of indoor and outdoor sport, leisure and recreational uses. A certificate of lawful existing use was issued by EBC in 2011 for use of land as an archery range.¹ Apps Court Farm has permission for "use of land for 'events site' ".² Permission was also granted for the erection of a new building for use as equipment and grounds maintenance store.³ Conditional planning permission has been granted for two 25 m high wind turbines within the complex.⁴
3. The existing archery building has a pitched roof, which the appellant states is about 6 m to roof ridge. That is about the same height as double stacked storage containers located in various parts of Apps Court Farm. There are a variety of other buildings and mobile homes located within the complex, along with large open fields and land used for outdoor storage and maintenance of equipment. The archery building is adjacent to the Black Barn, where planning permission has recently been granted for its reconstruction following its demolition due to storm damage.⁵
4. The existing archery building does not have any toilet or changing facilities. These are currently provided within portacabins, with no disabled access, some distance from the building. The proposed extension would provide changing facilities and toilets, along with complementary facilities such as a kitchenette, showers, modern day locker facilities, associated gym and members' office for

¹ Ref:2011/5818.

² APP/K3605/W/20/3259700.

³ APP/K3605/W/21/3271943.

⁴ Ref:2019/3142.

⁵ Ref:2020/2359.

the archery building, as well as additional space for associated sport and recreational uses.

5. The proposed two-storey extension to the south-western side of the existing single-storey building would extend the archery building by 12.34 m. The extension would be 14.54 m wide and would occupy what is currently an open yard area. The contemporary roof design would be part flat and part shallow mono-pitch. The submitted drawings do not include dimensions for the roof height, but EBC records the roof height of the proposed extension sloping down from 8.9 m to 7.2 m. The front, rear and side elevations would include large areas of glazing.
6. The appeal site lies within the Metropolitan Green Belt. The development plan for the area includes Elmbridge Core Strategy 2011 (CS) and Elmbridge Local Plan Development Management Plan 2015 (DMP). I have also had regard to the National Planning Policy Framework (NPPF).

Main issues

7. The main issues in this appeal are:
 - (a) Whether the development conflicts with policy to protect the Green Belt and the effects of the proposed development on the openness of the Green Belt.
 - (b) The effects of the proposed development on the character and appearance of the area.
 - (c) If the development is inappropriate in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Green Belt

8. The Government attaches great importance to Green Belts and the fundamental aim of policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. NPPF paragraph 145 provides that local planning authorities should plan positively to enhance the beneficial use of Green Belts, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In considering applications substantial weight should be given to any harm to the Green Belt. The NPPF adds that '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.
9. Paragraph 149 of the NPPF provides that the construction of new buildings should be regarded as inappropriate in the Green Belt. Exceptions to this include: b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation,

cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; and c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

10. The extension would have a footprint of 179.4 m² and would rise to a flat roof height of 7.2 m and mono-pitch roof height sloping up to 8.9 m high. These dimensions would give the extension a substantial volume of built form that would replace what is currently an open yard. Even if the proposed facilities were appropriate for outdoor sport and recreation, I find that the proposed extension by reason of its footprint, height and overall bulk would not preserve the openness of the Green Belt. The appeal scheme does not benefit from exception b) in NPPF paragraph 149.
11. The existing single-storey archery building has a simple form with a conventional pitched roof and sparse fenestration. The overall dimensions of the proposed two-storey extension would result in a substantial addition to a building of modest proportions. The difference in scale would be particularly apparent in the transition from the pitched roof of the existing building to the sloping mono-pitched roof of the proposed extension, which would project over part of the original roof. The extensive glazing proposed would also draw attention to the dominance of the addition to the host building. The extension, given its height, bulk and distinctive roof form, would dominate the existing building. I consider that the proposed extension would result in a disproportionate addition over and above the size of the original building. The appeal scheme does not benefit from exception c) in NPPF paragraph 149. It would also conflict with DMP Policy DM18, which has similar provisions regarding disproportionate additions over and above the size of the original building.
12. The appeal scheme would be inappropriate development, which is by definition harmful to the Green Belt. The openness of the Green Belt would be impaired by the extension. I have assessed whether the appeal scheme would result in any other harm, and had regard to other considerations, so that a balancing exercise can be undertaken to determine whether very special circumstances exist.

Character and appearance

13. The existing building has a simple form and modest dimensions that are in keeping with the rural/urban-fringe character of the locality. The proposed extension would, for the reasons set out above, dominate the host building. The disproportionate addition and contemporary design, with a distinctive roof form and extensive glazing, would sit uncomfortably in this context. The proposed extension would be set within the Apps Court Farm complex, but it would be visible from some vantage points along Hurst Road, where it would be seen near to open fields within the complex. I have taken into account the variety of buildings and structures within the complex, but do not consider that these justify an extension that I consider would result in harm to the character and appearance of the area. The proposed development would not achieve high quality of design in accordance with CS Policy CS17 and DMP Policy DM2.

Planning balance

14. The other considerations cited by the appellant in determining whether very special circumstances exist primarily concern the provision of essential facilities for sporting/recreational use. The appellant considers the existing facilities to be wholly inadequate, that other users of the existing building require their own spaces separate from the archery use, that a gym would complement the archery use, and that a kitchenette and office are required for a modern indoor and outdoor sporting facility. In addition, the appellant's submission that the extension is of a suitable design and appearance that respects the host building is prayed in aid of very special circumstances. For the reasons given above, I have come to a different conclusion about the effects of the proposal on the host building and the area. However, I acknowledge that the improved facilities would benefit the Apps Court Farm complex and so would contribute to the local economy.
15. Nevertheless, I consider that the harm to the Green Belt, which attracts substantial weight, along with the harm to the character and appearance of the area, is not clearly outweighed by the benefits of the improved sporting and recreational facilities along with the contribution the appeal scheme would make to the local economy. In my judgement, the harm by reason of inappropriateness, and any other harm, is not clearly outweighed by other considerations, and the very special circumstances necessary to justify the development do not exist.

Other Matters

16. I have taken into account that permission was granted in 2005 for a side extension to the archery building following demolition of the existing barn.⁶ The proposed extension in that scheme took a very different form to that now at appeal. It was for a single-storey extension that extended the roof ridge line of the existing building. This previous permission does not justify granting planning permission for the current scheme.

Conclusion

17. I find that the appeal scheme would be contrary to national Green Belt policy set out in the NPPF. It would also conflict with the development plan taken as a whole. For the reasons given above I conclude that the appeal should be dismissed.

J Woolcock

INSPECTOR

⁶ Ref:2005/1409.