



Appeal Decision

Site visit made on 1 February 2023

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2023

Appeal Ref: APP/R3650/W/22/3295742

Deer Park Cottage, Grayswood Road, Grayswood, Haslemere GU27 2DJ

- 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 Mrs Janet Dutton against the decision of Waverley Borough Council.
 - The application Ref WA/2021/02913, dated 2 September 2021, was refused by notice dated 3 February 2022.
 - The development proposed is described as the erection of a storage barn - part replacement.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a storage barn - part replacement, at Deer Park Cottage, Grayswood Road, Grayswood, Haslemere GU27 2DJ in accordance with the terms of the application, Ref WA/2021/02913, dated 2 September 2021, and subject to the attached schedule of conditions.

Procedural Matters

2. There are discrepancies between the parties as to how many horses are kept at Deer Park Cottage. The appellant has confirmed that they own all 11 horses at the property.

Main Issue

3. The main issue is whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.

Reasons

4. The appeal site originally held 2 curved storage barns, although one has been removed due to recent storm damage. It forms part of a much larger parcel of land related to Deer Park Cottage and used by the appellant to keep their horses. Notwithstanding the cottage itself, the wider parcel of land also includes stabling for the horses and an equestrian sand school which is closely located to the appeal site. Materials, machinery, and other paraphernalia related to the keeping of the horses and the maintenance of the land is stored informally across the appeal site and the wider parcel.
5. Immediately to the rear and side of the appeal site is a bridlepath and railway bridge and embankment. These are separated from the site by mature hedgerows interspersed with trees. The railway line appears well used and the bridlepath provides access to several residential properties located before and

after the appeal site. Accordingly, the appeal site forms part of the loose scattering of properties within the Green Belt, just beyond the fringes of Grayswood village.

6. Paragraphs 149 and 150 of the Framework set out what is not considered inappropriate development in the Green Belt, and Policy RE2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (LP1) directly refers to the Framework on this matter. As the proposal would constitute a new building it does not fall under paragraph 150. Paragraph 149 of the Framework also states the construction of new buildings is inappropriate in the Green Belt but provides 7 exceptions to this.
7. The Council had first considered the proposal under Paragraph 149 exception d), the replacement of a building. As that proposed is considerably larger than that which it would replace, the proposal would not comply with this exception.
8. However, I find the proposed use of the barn to support equestrian pursuits would constitute a facility to support outdoor sport and outdoor recreation, albeit it in a private capacity. Therefore, it is appropriate to consider the proposal under Paragraph 149 exception b) of the Framework. This sets out when the provision of appropriate facilities for, amongst other things, outdoor sport and outdoor recreation would not be inappropriate, as long as the openness of the Green Belt is preserved, and the proposal does not conflict with the purposes of land being included within the Green Belt.
9. The Council states the proposal is too large to be considered an appropriate facility and that there is no justification for it. Nevertheless, the appellant has set out the proposed barn would be used to store 120 large bales of hay for feed, a tractor, trailer and other agricultural machinery, straw and wood chip shavings, and secure storage related to the welfare of the 11 horses as well as the upkeep of the surrounding paddocks and sand school. A number of these items are currently stored in the open on the site and associated parcel of land, as observed during my visit, and there is nothing before me which states these quantities are not appropriate for the number of horses and amount of land in question. I am therefore satisfied that the proposal would constitute an appropriate facility to support outdoor sport and outdoor recreation.
10. Turning to whether the proposal would preserve the openness of, and whether it would conflict with the purposes of including land within, the Green Belt. These considerations are supported by Saved Policy RD13 of the Waverley Borough Local Plan (LP) which, amongst other things, also requires that new development does not significantly detract from the character of the rural landscape, in this case the Green Belt.
11. The proposed barn would be located adjacent to the boundary with the railway embankment and associated infrastructure, including substantial brick stairways within fenced compounds, to support the maintenance of the bridge across the bridlepath. This is a substantial feature in the landscape which curtails the visual openness of the appeal site considerably and would dominate the backdrop of the proposal. This along with the reasonable screening the boundary hedgerows and trees provide would ensure the proposal does not visually impact the openness of the Green Belt.
12. However, openness is not purely visual but has a spatial aspect also. The proposed barn would be reasonably large when compared to the 2 barns it

would replace. Nevertheless, it would be located where several items of machinery are currently stored on an area of rough hardstanding which is surrounded by existing stable buildings, the sand school, and the railway. Due to this somewhat enclosed and congested position between existing development; the appeal site's location as part of the sporadic ribbon of development along the bridleway; and that it would not extend beyond the clearly defined boundary created by the railway embankment, I am also satisfied the proposal would not intrude spatially into the Green Belt's openness.

13. The Framework states the fundamental purpose of Green Belt is to prevent urban sprawl. The proximity of the proposal to the railway embankment and bridge, and its location within the loose development along the bridlepath means it would not encroach into the wider countryside and so would not contribute to urban sprawl.
14. In this instance, therefore, the proposed barn would not constitute inappropriate development in the Green Belt. It would comply with LP1 Policy RE2, LP Policy RD13 and the Framework. Consequently, it is unnecessary to consider whether very special circumstances need be applied.

Other Matters

15. The appeal site is in the Surrey Hills Area of Outstanding Natural Beauty (AONB). AONBs are designated for the purposes of conserving and enhancing natural beauty and Section 85(1) of the Countryside and Rights of Way Act 2000 places a duty upon me to have regard to these purposes in this decision. The Council did not object to the appeal scheme in this regard and I agree that due to the design and materials of the proposed barn, the special qualities of the AONB would not be adversely affected.
16. Interested parties state that other buildings attributed to Deer Park Cottage could be reused and that the site is being used for commercial purposes. These factors do not form part of the proposal, and there is nothing before me which supports that the site is being used commercially, nor was such a use apparent during my site visit. I have therefore dealt with the proposal on its own merits.

Conditions

17. The Council has suggested 4 conditions which I have considered against advice in the Framework and Planning Practice Guidance. In addition to the standard time limit condition (1), I have imposed condition 2 requiring the development to be carried out in accordance with the approved plans, which includes details of external materials, to provide certainty. Thus, the Council's proposed condition requiring no variation in external materials would not be necessary.
18. Conditions 3 and 4, relate to the use of the barn and external lighting (which would include floodlighting), these would protect the character and appearance of the surrounding area, and ensure avoidance of doubt. To reduce construction disturbance for the occupants of the properties along the bridlepath, I have attached condition 5, in line with the access details submitted by the appellant.

Conclusion

19. For the reasons given above the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore, allowed.

RJ Redford

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 010; 100; 200; 300; and 301.
- 3) The development hereby permitted shall only be used for non-commercial equestrian purposes ancillary to the use of the existing dwelling, Deer Park Cottage.
- 4) Prior to any installation of external lighting, details shall first be submitted to and approved in writing by the local planning authority. Installation shall then be carried out in accordance with the approved details.
- 5) No vehicle in association with the construction of the development hereby permitted, including site clearance, preparation, and demolition, shall access or egress the site other than via the access route identified on page 1 of the Planning Appeal Statement.

END OF SCHEDULE