



Appeal Decision

Site visit made on 4 January 2023

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 February 2023

Appeal Ref: APP/R3650/W/22/3300951

Land coordinates 490736 143800, The Green, Elstead, Godalming GU8 6DA

- 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 J Yates against the decision of Waverley Borough Council.
 - The application Ref WA/2022/03261, dated 8 November 2021, was refused by notice dated 13 May 2022.
 - The development proposed is described as “demolition of existing barn, change of use and erection of detached dwelling”.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - 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, including the effect of the development on the openness of the Green Belt;
 - the effect of the proposal on the landscape character of the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV); and
 - whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate Development

3. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy RE2 of the Waverley Local Plan (Part 1) (2018) (Local Plan) seeks to protect the Green Belt against inappropriate development and conforms with the approach set out in the Framework.
4. Paragraph 149 of the Framework sets out that limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in

continuing use (excluding temporary buildings) is not inappropriate in the Green Belt provided it would have no greater impact on the openness of the Green Belt than the existing development.

5. The proposal involves the redevelopment of previously developed land. Taking account of paragraph 149 of the Framework, this type of development would not be inappropriate in the Green Belt, provided the proposal would have no greater impact on the openness of the Green Belt than the existing development.
6. I saw on site that the existing single storey stable block is modest in its scale and has a humble appearance, albeit currently in a poor state of repair. There is open land to either side of the building that allows views through the site to open land beyond. The canopies of trees within the land beyond are also visible above the building. Furthermore, the stable block's side elevation that fronts The Green is painted green and screened by a tree, which helps it blend into the landscape. While public views of the site are restricted to those taken from The Green when approaching the site, currently the northern end of The Green appears open and provides public views of the countryside setting of the village in this location.
7. The proposed new dwelling would diminish this openness. Although its floor area would be a similar size to the stable block, its height and overall size would be significantly greater. It would not only physically take up more space than the existing building but also would not appear as a single storey structure and would limit views of the open landscape beyond. It would be reorientated so that the principal elevation, which is significantly wider than the side elevation of the stable block, fronts The Green. This would reduce the amount of open space to the sides of the dwelling, which would further restrict views from The Green through the site to the open land beyond. Also, despite being set further back than the stable block, this reorientation, and the height of the proposed dwelling, would make it more prominent in these views. While it may be that the proposed dwelling would provide an attractive vista at the end of The Green of a similar scale and massing to neighbouring houses, this would be to the detriment of the current openness in this location. This localised effect on openness, both spatially and visually, would have a greater impact on the openness of the Green Belt than the existing development.
8. The appellant is willing to accept a condition requiring the dwelling to remain as single storey accommodation at all times. They also consider that matters such as landscape boundary treatments could be carefully implemented through the use of planning conditions to offer further control to ensure that the proposed single dwelling would not result in any harmful form or appearance within the site. However, controlling the internal form of the proposed dwelling and/or screening the proposed dwelling using a landscape boundary would not address the impact on the openness of the Green Belt that I have identified.
9. Separately, although positioned relatively close to No. 4 Anderson Place, the stable block is set behind this dwelling. The stable block is also separated from the residential property known as Badgers, by the entrance to the appeal site, adjacent paddocks, and an access track. Given this, and the rural form of the stable block, it is not read as forming part of the built-up area of Elstead and would not be limited infilling as referred to in paragraph 149(e) of the Framework.

10. For the reasons above the proposal would have a greater impact on the openness of the Green Belt than the existing development. It would therefore be an inappropriate form of development within the Green Belt, which, by definition, is harmful to the Green Belt.

Landscape Character

11. Paragraph 176 of the Framework states that great weight should be given to conserving and enhancing the landscape and scenic beauty of the AONB. The scale and extent of development within the AONB should be limited.
12. As concluded above, from the evidence before me and my observations on site, given the height and position of the proposed dwelling, it would be bulky and noticeable in the street scene. The height of the proposed dwelling may be moderated to a degree by it being set further back within the site. However, this would also result in it being more removed from the properties forming the edge of the settlement. Given this, its orientation, scale, and domestication of its appearance, it would have an urbanising effect on and would diminish the openness of its immediate setting. It would also restrict important public views of the AONB landscape, which link the village to its countryside setting. Subsequently, for these reasons, it would harm the open and rural landscape character and natural and scenic beauty of the AONB and AGLV in this location.
13. With regards to potential light spill, the proposed dwelling would be located relatively close to the settlement edge and not within a remote location. The large areas of glazing in the north and west elevations would likely cause a greater amount of light spill than the neighbouring properties, which have more modest amounts of glazing. However, this spill would add to the light spill already resulting from the properties on the edge of Elstead village. Given this, any effect on the landscape character of the AONB and AGLV would be limited in this respect.
14. Although I have found the effect of the proposal on the landscape character of the AONB and AGLV to be limited with regards to light spill, overall, for the reasons above, the proposal would harm the landscape character of the AONB and AGLV. It would conflict with Policies TD1 and RE3 of the Local Plan, the retained Policies D1 and D4 of the Local Plan 2022 and Policies P1, P2 and P3 of the Surrey Hills AONB Management Plan. These, amongst other things, seek to ensure new development is of a high quality that respects and/or enhances the distinctive character of the landscape in which it is located, including protecting and enhancing the character and qualities of the AONB and AGLV.

Other Considerations

15. In terms of benefits, the proposal would make use of previously developed land and would support the use of local services and facilities. It would provide enhancements in biodiversity across the site, which would likely increase its ecological value and would enhance the setting of the proposed dwelling. It would also have a high-quality zero-carbon design consistent with the established character of the area and with a low environmental impact. I attach moderate weight to these benefits.
16. It has also been put to me that the proposal would result in a substantially lower number of traffic movements than the existing equestrian use. However,

there is no substantive evidence before me demonstrating this. Therefore, I can afford it only limited weight.

17. The proposal would provide a dwelling in an accessible location close to local services and facilities, which would contribute towards the borough's housing supply. The Council cannot demonstrate a five-year supply of deliverable housing sites. Its current five-year housing supply figure is between 4.01 and 4.25 years, which shows there to be a moderate shortfall in supply. However, while the provision of one dwelling weighs in favour of the proposal, its contribution would be only modest.
18. There is an extant permission relating to the site for the change of use from, and alterations to, the existing stable block to a dwelling. In terms of benefits, both the permitted scheme and the proposal would make use of previously developed land, contribute a dwelling to the borough's housing supply and support the use of local services and facilities.
19. I note there is support for the proposal from those nearby, as they consider the proposal would be an aesthetical improvement on the permitted scheme and would have much better sustainability credentials. I also note the AONB Advisor's views that the permitted scheme is not of a suitable high standard in an AONB. However, while the proposal may have both a more aesthetically pleasing appearance and a significantly lower environmental impact than the permitted scheme, it would also harm the openness of the Green Belt and landscape character of the AONB and AGLV. Given this, the fallback position provided by the permitted scheme is a neutral consideration in my determination of the appeal.
20. I understand that the appeal site is within the 5km buffer zone for the Wealden Heaths Special Protection Area (SPA) and 2km buffer zone of the Wealden Heaths Special Area of Conservation (SAC). Nevertheless, I am dismissing the appeal due to the harm of the proposal on the Green Belt and landscape character of the AONB and AGLV. As such, no pathways to significant likely effects on the SPA and SAC would arise from my decision. I therefore do not need to consider this issue any further.

Green Belt Balance

21. I have found that the proposal would, by virtue of having a greater impact on the openness of the Green Belt than the existing building, be an inappropriate form of development within the Green Belt. The Framework indicates that harm by reason of inappropriateness should be given substantial weight and that inappropriate development should not be approved except in very special circumstances. Even when taken together, the other considerations do not clearly outweigh the harm to the openness of the Green Belt and the landscape character of the AONB and AGLV that I have identified. Thus, there are not the very special circumstances necessary to justify inappropriate development in the Green Belt. The proposal would therefore be contrary to Local Plan Policy RE2, and guidance in the Framework relating to Green Belts.

Planning Balance and Conclusion

22. Given the shortfall in housing supply, paragraph 11d) of the Framework falls to be considered. I have found that the proposal would be an inappropriate form of development within the Green Belt and would harm the landscape character

of the AONB. Consequently, the application of policies in the Framework that protect the Green Belt and the landscape and scenic beauty of the AONB, provide a clear reason for refusing the development proposed. The proposal therefore would not benefit from the presumption in favour of sustainable development outlined at paragraph 11 of the Framework.

23. Accordingly, for the reasons above, I conclude that the appeal should be dismissed.

Hannah Guest

INSPECTOR