



Appeal Decision

Site visit made on 15 February 2023

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd March 2023

Appeal Ref: APP/A3655/D/22/3300999

The Whins, Lawfords Hill Road, Worplesdon, Guildford, Surrey GU3 3QB

- 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 S Laffin against the decision of Woking Borough Council.
 - The application Ref PLAN/2022/0135, dated 14 February 2022, was refused by notice dated 13 April 2022.
 - The development proposed the erection of a detached garage/storage building following demolition of existing garage, car port and shed outbuildings (revision of PLAN/2021/0981).
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached garage/storage building following demolition of existing garage, car port and shed outbuildings at The Whins, Lawfords Hill Road, Worplesdon, Guildford, Surrey GU3 3QB in accordance with the terms of the application, Ref PLAN/2022/0135, dated 14 February 2022, subject to the following 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 approved plans 221-04-22 P001 and 221-04-22 P003 A.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the following materials: walls to be white render, roof to be plain tiles, and windows to be black uPVC.

Main Issue

2. 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

3. Paragraph 149 of the Framework states that the construction of a new building is inappropriate in the Green Belt but sets out 7 exceptions to this. The proposal, as a replacement building, should be considered under Paragraph 149 d) which states that the new building is in the same use and not materially larger than the one it replaces.
4. Policy CS6 of the Woking Core Strategy (CSP) refers directly to the tests in the Framework when considering inappropriate development in the Green Belt, and Policy DM13 of the Woking Development Management Policies Development

Plan Document (DMP) amplifies, amongst other things, how the requirements of Paragraph 149 d) of the Framework should be considered, referring to use, size and siting of the replacement building.

5. The Council, although considering mathematically that the increase in volume would be acceptable, found the car port to be too lightweight and open a structure to constitute a building. During my site visit, however, the car port appeared to have been in situ for a considerable period, solidly constructed, enclosed, and sturdy and robust enough to provide secure and weatherproof storage. It was visually obvious when entering the site, and its solid mass and physical bulk largely screened the garage and shed outbuildings. Therefore, in this case, I am satisfied it should be considered as part of the buildings to be replaced.
6. The proposed building would be for the same use as the replacement buildings and would be similarly sited. It would be slightly larger than the existing buildings, but visually and spatially this would not be appreciable. The proposal would not extend significantly into the space the shed outbuildings currently occupy. This would create a reasonable gap between it and the site boundaries, which currently does not exist, so improve the spaciousness of this part of the site.
7. Consequently, the proposal would not be inappropriate development in the Green Belt. It would comply with paragraph 149 d) of the Framework and CSP Policy CS6 and DMP Policy DM13.
8. As the proposal would not be inappropriate development, it is not necessary to further consider the effect of the proposal on openness or the purposes of including land in the Green Belt. Nor is it necessary to consider very special circumstances. There is also no other harm to weigh it against.

Conditions

9. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty. For the sake of character and appearance and the acceptable integration of that proposed, I have also imposed a condition requiring the adherence to external materials described on the application form.

Conclusion

10. 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, that would indicate a decision otherwise. The appeal is, therefore, allowed.

RJ Redford

INSPECTOR