



Appeal Decision

Site visit made on 21 February 2023

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2023

Appeal Ref: APP/A3655/D/22/3300176

The Old House, Pyrford Road, Woking GU22 8UE

- 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 Akeel Sachak against the decision of Woking Borough Council.
 - The application Ref PLAN/2022/0018, dated 10 January 2022, was refused by notice dated 14 March 2022.
 - The development proposed is described as 'Demolition of existing stables/ storage building and replacement with detached oak framed garage/ storage barn.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I observed at the time of my site visit that there are discrepancies between the structures that currently exist on the site and the existing building shown on the supporting plans. This is particularly as the existing situation comprises three outbuildings within close proximity to each other, rather than a continuous building as shown. I have, however, assessed the proposal on the basis of the supporting plans.

Main Issues

3. 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;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the area, and;
 - Whether any 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

Whether Inappropriate

4. The Framework at paragraph 137 identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It

goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate development, but lists exceptions in paragraph 149.

5. One such exception, at paragraph 149d) is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
6. Policy DM13 of the Woking Development Management Policies Development Plan Document 2016 (the DPD), reiterates the Framework in this respect, and adds that the replacement building should be sited on or close to the position of the building it is replacing, except where an alternative siting within the curtilage demonstrably improves the openness of the Green Belt. The supporting text describes how the Council will assess whether a replacement building is materially larger, taking into account siting, floorspace, bulk and height. It states that, as a general rule, a replacement building that is no more than 20-40% larger than the one it replaces will not usually be considered disproportionate.
7. Based on the floorplans and the Council's figures, which have not been disputed by the appellant, the proposed building would be 44.5% larger in its footprint, 114% larger in its volume, and entail a 79.5% increase in height above the existing. The proposed increases are substantial and the proposal would be materially larger than the building it would replace. As such it would conflict with Policy DM13 of the DPD and would not be appropriate development under exception 149d) of the Framework.
8. The appellant states the proposal could fall to be considered under exception 149b) of the Framework, which provides that appropriate development can include the provision of appropriate facilities for outdoor recreation (among other things), as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The exception at paragraph 149g) has also been put forward, where partial redevelopment of previously developed land can be appropriate if it would not have a greater impact on the openness of the Green Belt than the existing development. Consequently, whether the development would be appropriate under 149b) or 149g) depends on an assessment of impact on openness, which is carried out below.

Openness

9. The openness of the Green Belt has a spatial as well as a visual aspect, and a number of factors are capable of being relevant when it comes to applying the particular facts of a specific case.
10. The wider appeal site of The Old House comprises the main dwelling and its landscaped gardens and outbuildings to the north. To the south, in the vicinity of the proposed development, the land opens up and the proposal is set to the northern edge of a substantial field of open grassland, bound by a belt of trees to its northern edge and hedgerow to its western side. Pyrford Road, which binds the site to the west, separates the appeal site from the more dense development of Pyrford beyond. The existing building on the appeal site is modest in its scale and is set partially beneath the canopies of the trees.

11. While a quantifiable assessment of comparative footprint and volume figures, as discussed above, is not the only determining factor in considering openness, it is nonetheless useful in assessing the extent of change in built form on the site. In addition to the substantial uplifts in the figures above, the proposed development would be positioned further to the south, away from the trees and within the open space of the field. The combination of these factors would result in the building significantly altering the spatial aspect of the Green Belt's openness.
12. In terms of visibility, in combination with the increase in footprint and height, the relocation of the building away from the trees and structures to the north would result in it being more exposed and more visually prominent, as well as representing the creep of built form into the field. The development would be visible from Pyrford Road in glimpses through the hedgerow, although I appreciate that a greater degree of screening would be likely in summer months. Despite this, when visible, the visual effects on openness would be significant.
13. When these factors are taken together, the harm to openness would be significant. In turn, it can be concluded that the proposal would not accord with the exceptions to inappropriate development at paragraph 149b) or 149g) of the Framework, nor with the other exceptions suggested.
14. The proposal would be inappropriate development and harmful to openness. It would conflict with policies CS6 of the Woking Core Strategy 2012 (the CS) and DM13 of the DPD as well as the objectives of the Framework relating to the maintenance of the Green Belt and the purposes of including land within it.

Character and Appearance

15. The character of the area where the proposal is sited is rural in its character, comprising an undeveloped field bound by belts of hedgerows and trees. The character of this area is visually distinct from the gardens and structures surrounding The Old House to the north and the residential developments of Pyrford to the west. The proposed building would have a traditional design and appearance, and incorporate materials appropriate to a rural setting, which I find to be appropriate for its immediate context. Despite being larger than the existing building, in terms of its effect on local character, it would appear as a functional storage building set to the edge of the field and close to the access track.
16. For these reasons taken together, I do not find the proposal to cause harm to the character and appearance of the area. The proposal would comply with Policy CS21 of the CS and the objectives of the 'Design' Supplementary Planning Document which require, among other things, development to respect and make a positive contribution to the character of the area. The proposal would also comply with the design objectives of the Framework.

Other Considerations

17. The Framework makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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.

18. The existing building is dilapidated in its appearance and the lack of suitable storage necessitates the outdoor storage of equipment around the site. The removal of the building, and introduction of suitable storage, would therefore provide a benefit to the appearance of the site. However, despite its condition, the visual harm arising from the existing building is limited due to its scale and position, and it sits quietly on the site. The equipment near it is also transient. For these reasons I ascribe moderate weight to these benefits.
19. Biodiversity enhancements could be delivered as part of the building, as well as sustainable methods for the disposal of surface water and sustainable building materials. These are benefits of the proposal, to which I ascribe moderate weight given its scale.
20. I appreciate that the scale of the building proposed is that considered necessary to accommodate the required equipment, and the storage would improve its security. However, I am not satisfied that the proposal is the minimum which is necessary to deliver these benefits, or that it would need to be sited in this more exposed location. As such I afford this moderate weight.
21. While the proposed building may be easy to remove due to its traditional construction, it would nonetheless cause harm to the Green Belt as described, while it was erected. I therefore ascribe little weight to this factor as a benefit.
22. Another outbuilding, located close to the southern end of the field, has already been removed from the site and, at that time, it would likely have comprised an improvement to the openness of the site. However, this building has already been removed and it is not an existing structure at this time. As such I give little weight to the benefit of its removal.
23. The proposal has not been found to cause harm to the character and appearance of the area, and it would allow the trees to be maintained in the vicinity of the proposal. However, these matters are neutral, and do not weigh in favour of the development. I do not have substantive evidence to demonstrate that the proposal would enhance the setting of the listed building of The Old House.
24. While the benefits of tidying the land and environmental improvements to the site attract some weight in favour of the development, taken together, the weight of the other considerations in this instance would not be sufficient to clearly outweigh the harm to the Green Belt, which I am required to give substantial weight. Consequently, the very special circumstances necessary to justify the development do not exist.

Other Matters

25. The proposed development would be sited over approximately 70metres from the grade II listed building of The Old House to the north. Due to the distance of separation, as well as the presence of intervening structures and landscaping including trees, the proposal would preserve the setting of that heritage asset.

Conclusion

26. For the reasons set out above, the proposal would conflict with the development plan and the Framework. There are no material considerations, including certain approaches of the Framework and worthy of sufficient weight,

that would indicate a decision other than in accordance with it. The appeal is therefore dismissed.

C Shearing

INSPECTOR