



Appeal Decision

Site visit made on 25 July 2023

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 August 2023

Appeal Ref: APP/R3650/D/22/3311581

Hythe Cottage, Tilford Road, Tilford, Farnham, Surrey GU10 2DF

- 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 and Mrs R Stearn against the decision of Waverley Borough Council.
 - The application Ref WA/2022/01759, dated 6 July 2022, was refused by notice dated 13 October 2022.
 - The development proposed is the erection of an outbuilding to provide parking, storage and home office.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the appeal was submitted the Council has adopted the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies (LPP2) on 21 March 2023, which forms part of the development plan. The Council have confirmed which policies are now in place and the appellant has had opportunity to comment on them. I will therefore reference the revised policies in my decision.

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 it has upon the openness of the Green Belt; and
 - if the development is inappropriate 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

Whether the proposal would be inappropriate development in the Green Belt

4. 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. Policy RE2 of the Waverley Local Plan (Part 1) 2018 (LPP1) refers directly to the Framework, whilst LPP2 Policy DM14 sets out specific criteria relating to 3 of

the 7 Paragraph 149 exceptions, along with factors to take into account when considering the openness of the Green Belt.

5. The proposed use of the new building would be in relation to the existing residential use of the appeal site. The proposal would not extend, alter, or replace an existing building nor is the appeal site within a village, a position agreed by the main parties. Therefore, the proposal does not fall into any of the exceptions set out within Paragraph 149.
6. Accordingly, the proposal would constitute inappropriate development, as described in the Framework. As set out in Paragraph 147 of the Framework inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness

7. The location of the proposed development would be forward of the other buildings within the appeal site. It would be of reasonably large proportions, permanent in its construction, and solid in mass. It is appreciated views of this location would be limited to partial views through the boundary hedging from the access track which runs up the side of the appeal site.
8. However, the bulk and mass of that proposed would mean that these current views across the frontage would be curtailed, and the visual openness of this part of the site reduced. Furthermore, as openness also has a spatial aspect, the forward location of the proposal within the appeal site would physically encroach into an otherwise open area between the existing property and the road, where no current buildings or structures exist.
9. The appellant states that the proposal would consolidate built form on the appeal site within a compact footprint. However, in the context of openness, the proposal would increase the number of buildings on the site which would cover a larger area, and therefore cumulatively increase the built form footprint.
10. Consequently, the proposal would have a harmful effect both visually and spatially on the openness of the appeal site, and therefore the Green Belt it forms part of.

Other considerations

11. The lack of existing secure, covered parking within the site is noted as is the appellant's desire for a home office separate to the main dwelling. Nevertheless, due to the personal nature of these uses, I only attribute limited weight when considering them against the wider harm identified above.
12. I note the appellant's position in relation to it being not unusual that a property in such a rural area would have covered parking. However, there is nothing before me to show that a lack of covered parking would prevent or reduce the appeal site's capability to function as a residential dwelling. Therefore, I give this argument limited weight also.
13. I have considered the planning permissions at Chedworth (reference WA/2020/0274) and Calluna (WA/2015/1313) where in both cases a lack of secured garaging contributed to the very special circumstances. Both permissions were for single storey garage buildings that provided 1 or more

enclosed bays for secure parking. As the proposal is a large 2 storey building and provides open parking bays only, I am satisfied the schemes are sufficiently different so as not to be directly comparable.

14. 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, the special qualities of the AONB would not be harmed.
15. The Council has also identified a lack of harm in respect of several other issues, including impact on the character and appearance of the area, an area of great landscape value, living conditions of future and neighbouring occupants, trees, and biodiversity. Nonetheless, an absence of harm is a neutral factor which can neither weigh for or against the proposal.
16. The appeal site is within the buffer zones of 2 Special Protection Areas (SPAs), Wealden Heaths 1 and Wealden Heaths 2 SPA. However, as I am dismissing this appeal for other reasons, I have not pursued this matter further. Nevertheless, should it have been found that no harm would arise in relation to the SPAs this would be a neutral factor.
17. The Council's position that such uses could be accommodated elsewhere on site is noted. Nevertheless, I am bound to assess the proposal as it stands before me.

Conclusion

18. The proposal is inappropriate development in the Green Belt and would harm openness contrary to LPP1 Policy RE2, LPP2 Policy DM14 and the Framework. Paragraph 148 of the Framework states that substantial weight should be given to any harm to the Green Belt. The other considerations discussed above do not clearly outweigh this harm, so do not constitute the very special circumstances necessary to justify the development. Consequently, the appeal is dismissed.

RJ Redford

INSPECTOR