



Appeal Decision

Site visit made on 6 November 2023

by J E Jolly BA (Hons) MA MSc MCiH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2023

Appeal Ref: APP/R3650/W/3310463

Combe Farm Cottages, Aldens Lane, Godalming, GU8 4AP

- 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 Pickle and Winch against the decision of Waverley Borough Council.
 - The application Ref WA/2022/00604, dated 4 February 2022, was refused by notice dated 21 September 2022.
 - The development proposed is for the erection of an extension for a temporary period of one year.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For accuracy and certainty, I have used the address and description of development given on the Council's decision notice.
3. The Government published a revised National Planning Policy Framework (the Framework) in July 2021. All references to the Framework in this decision relate to the updated document.
4. The Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies (LPP2) was adopted in March 2023. Amongst other policies, the LPP2 replaced Policy RD2 (extension and replacement dwellings in the countryside) of the Waverley Local Plan 2002, with Policy DM14 (extensions, alterations, replacement buildings and limited infilling in the Green Belt). Therefore, while the appellant has challenged the validity of Policy RD2 in their statement of case, even if a Certificate of Lawfulness Class E (commercial use) were to be issued by the Council, Policy DM14 of the LPP2 would be relevant to the development subject of this appeal. I have proceeded accordingly.

Main Issues

5. The main issues in this appeal are:
 - whether the development represents inappropriate development in the Metropolitan Green Belt (the Green Belt) having regard to the Framework and relevant development plan policies, and if inappropriate development; the effect of the development on the openness of the Green Belt; and,
 - the effect of the development on the character and appearance of the Surrey Hills Area of Outstanding Natural Beauty (AONB) and the Area of Great Landscape Value (AGLV).

Reasons

Inappropriate development in the Green Belt

6. The elevated appeal site is found adjacent to the agricultural buildings of Combe Farm Barns and is located in the Green Belt, AONB and AGLV to the northern side of Alldens Lane which rises up from Thorncombe Street. The development has already been constructed and is a timber dining shelter with a corrugated iron roof and a loose gravel floor that is attached to one side of a pitched roofed, stone building known as 'Hill Kitchen'. There is a hardstanding for car parking to the left-hand side when viewed from the road. Both structures face onto a single-track lane and towards fields, woodland, and rolling hills, all of which typify the surrounding area. The area is further characterised by an open rural setting with loose-knit and sporadic development.
7. The Framework sets out in Paragraphs 147-151 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except where very special circumstances exist. All development is inappropriate unless an exception can be demonstrated under Paragraph 149 of the Framework.
8. As the development does not meet any exceptions in Paragraph 149 of the Framework and has approximately an 80% larger floor area than the original building, the main parties agree that the extension is inappropriate development in the Green Belt. I see no reason to disagree.

Openness

9. Turning to the effect of the development on the openness of the Green Belt. Notwithstanding the 'open-sided' design and single-storey arrangement, in my view the scale and width of the development is a disproportionate addition to the side of the relatively modest 'Hill Kitchen'. Moreover it is located atop a hill brow and looks directly across the road to the sloping fields of the Green Belt beyond. Therefore, I am in no doubt that it could be seen in the longer views.
10. Consequently, although the loss of openness that would be directly attributable to the appeal scheme is not great in itself, the extension would still be overly prominent in the longer views and the street scene and hence have a visual impact on the Green Belt in a position that was previously unfettered.
11. As such, I conclude that the development is inappropriate development that would materially harm the openness of the Green Belt.

Green Belt Balance

12. Inappropriate development and harm to openness is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the Framework requires that substantial weight is given to any harm to the Green Belt. Moreover, 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 development, is clearly outweighed by other considerations to justify the development.

13. As such, the appellant contends that the development supports the local economy through employment and informal training opportunities, the patronage of local supply chains and rural tourism. However, notwithstanding Paragraph 84 of the Framework, and whether the commercial business is regularised or not, even if this were to be the case, as the proposal is for a temporary period of one year the benefits are likely to be limited. Therefore, while mindful of the positive customer reviews, I attribute these benefits little weight.
14. The appellant has also brought to my attention that the extension provides opportunities for social gatherings and shelter at times of inclement weather for walkers, cyclists, and riders, which in turns supports the viability of the café. However, I afford these matters limited weight when balanced against the substantial harm to the Green Belt I have found.
15. I note that the extension has been constructed on previously developed land without the need to disturb trees or vegetation. I also acknowledge that the timber structure is without infrastructure services other than electricity and could be removed relatively quickly at a future date. However, even though the appellant has ambitions to relocate the shelter, I cannot be certain when, or if, an alternative location will be found. Therefore, while I attribute this matter some moderate weight, even in combination with the weight attributed to other considerations it does not outweigh the harm to the Green Belt I have found above.
16. The Government attaches great importance to Green Belts, and that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. I have found that the development is inappropriate development that would erode the essential characteristics of the openness of the Green Belt. Furthermore, the substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate that very special circumstances exist.
17. Consequently, the development does not meet the requirements of Policy RE2 of the Waverley Local Plan (Part 1) 2018 (WLP) which says, amongst other things, that the Green Belt will continue to be protected against inappropriate development. For similar reasons, the development is contrary to Paragraph 138 (c) of the Framework which identifies five purposes of the Green Belt, one of which is relevant in this case; to assist in safeguarding the countryside from encroachment.

AONB

18. The main parties agree that the proposed development would be in the AGLV and AONB, and thus for planning purposes in the countryside. As such, the development must conserve and enhance the landscape and scenic beauty of the AONB as required by Paragraph 176 of the Framework, which aims include that the scale and extent of development within the AONB should be limited; to which I attach great weight.

19. While the extension is constructed in mostly natural style materials with removable windshield type openings, and notwithstanding the established barns to the rear, is a structure of some scale and mass that is located on an elevated hill brow plot that does not accord with the materials of the neighbouring 'Hill Kitchen'.
20. As such, I noted at my site inspection that the extension can be seen not only from the surrounding AONB/AGLV, but also in both directions along Alldens Lane, for example, by passers-by, walkers, cyclists and riders.
21. Furthermore, although the extension is located over a concrete hardstanding that was previously used for car parking, I am not persuaded by the appellant that the structure improves the visual look of the site. Indeed, I find to the contrary, and to my mind the extension is an alien addition to 'Hill Kitchen'. Landscaping and the existing natural vegetation is not adequate mitigation. Therefore, in addition to the likely comings and goings related to the use of the extension, the elongated and elevated shelter is an unexpected and intrusive form of development in the AONB/AGLV, where I noticed development is generally limited.
22. I conclude therefore, that the extension is highly visible in the surrounding area, and incongruous with the character and appearance of the area. Moreover, the intrusive nature and activity associated with the development fails to conserve or enhance the scenic beauty of the AONB.
23. Accordingly, the development does not meet the aims of Policies TD1 and RE3 of the WLP which require that new development must respect and where appropriate, enhance the distinctive character of the landscape in which it is located, and for similar reasons, the Framework when read as a whole.

Conclusions

24. Having considered all matters raised in support of the extension I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the extension do not exist. Accordingly, the development is in conflict with the adopted development plan when considered as a whole and given the above would also conflict with Policies contained within the Framework, and as there are no other material considerations that indicate a decision other than in accordance with those Policies when considered as a whole, I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR