



Appeal Decision

Site visit made on 18 December 2023

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th January 2024

Appeal Ref: APP/R3650/W/23/3316021

Redlands Farm, Gostrode Lane, Chiddingfold, Godalming GU8 4SR

- 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 M Myddelton of Brompton Q1.2018 Ltd against the decision of Waverley Borough Council.
 - The application Ref WA/2021/03161, dated 18 October 2021, was refused by notice dated 4 August 2022.
 - The development proposed is the change of use, extensions and alterations to barns and shed to form dwelling, following the demolition of other redundant agricultural buildings.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged, a revised version of the National Planning Policy Framework (the Framework) was published (19 December 2023). This does not materially change the planning policy context in respect of the main issues.
3. Since the planning application was determined, the Waverley Local Plan 2002 was superseded by the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies (adopted 21 March 2023). Those policies were submitted with the appeal and have been referenced by the main parties. I have had regard to these policies, insofar as they relate to the appeal scheme, in making my decision.

Main Issues

4. The main issues are:
 - whether the development is inappropriate development in the Green Belt and, if it is, the effect of the development on its openness;
 - whether the proposed development would provide satisfactory living conditions for future occupiers;
 - the effect on biodiversity; 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 development.

Reasons

Whether inappropriate development

5. The appeal site comprises a parcel of land located off Gostrode Lane. It accommodates four agricultural structures of varying scale and design.
6. National Green Belt policy in the Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved 'except in very special circumstances.' There are, however, certain exceptions. One of those, at paragraph 154 (c), is the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building. Policy RE2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (LP1, 2018) and Policy DM14 of the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies (LP2, 2023) broadly conform to the general thrust of national Green Belt policy, setting out that inappropriate development will not be permitted except in very special circumstances, including that extensions and alterations to buildings in the Green Belt should not be disproportionate to the original building. In addition, LP2 Policy DM14 specifies that the total floor space proposed should not result in an increase of more than 40% above the floorspace of the original building.
7. The proposed development seeks, in part, the construction of a link extension between two existing barns, which would be retained and converted. Other outbuildings across the site would be demolished. While the proposed development would technically form an extension to two buildings, rather than 'a' building, as set out in Framework paragraph 154 (c), I do not consider that this would prevent it from falling within the provisions of that paragraph. Moreover, the proposed ground floor development would clearly be perceived as an extension to those buildings.
8. The appellant sets out the existing and proposed floorspace figures at 500sqm and 461sqm respectively. While this figure represents a clear reduction in floorspace (39sqm), the appellant's existing total figure includes several other barns across the wider site. These are proposed to be demolished as part of the scheme. However, the proposed extension would not form part of those other buildings and they are not physically or directly connected with the buildings to be extended. Therefore, based on the evidence before me, the existing floorspace of the relevant buildings (those to be retained and extended) measures 250sqm. Compared with that existing figure, the proposed scheme would result in a significant uplift in floorspace, and would consequently result in a disproportionate addition to those existing buildings.
9. Overall, the development is inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt. Substantial weight should be given to this harm. The proposed development is therefore contrary to the relevant provisions of LP1 Policy RE2 and LP2 Policy DM14, which in summary seek to protect the Green Belt from inappropriate development. This is in a similar vein to the provisions of the Framework which seek to protect the Green Belt.

Openness

10. The Framework indicates that openness is an essential characteristic of the Green Belt and a fundamental aim of Green Belt policy is to keep land

permanently open. The openness of the Green Belt has a spatial as well as a visual aspect. 'Open' can mean the absence of development in spatial terms, and it follows that openness can be harmed even when development is not readily visible from the public realm.

11. I saw during my site visit how intervening features in the landscape, including mature vegetation, mean there is fairly limited visibility of the site from the surrounding area. Nevertheless, some glimpsed views of the site are visible from Gostrode Lane and from private vantage points and the openness of the Green Belt is readily apparent within the immediate area through the existence of mature trees and surrounding open fields.
12. I accept that the proposed development would be reasonably discreet in its position, has been designed with sensitivity to prevailing building forms, materials and detailing and would be balanced with the demolition of existing buildings across the wider site. However, it would nonetheless result in built volume and massing where this does not presently exist. This would include a basement storey, lightwells and external staircases. This would all inevitably lead to a loss of openness, both physically and visually.
13. Consequently, the proposed development would cause harm to the openness of the Green Belt, albeit this would be to a limited extent by reason of the mitigating factors set out above. This weighs somewhat against the proposal.

Living conditions for future occupants

14. A bedroom and games room/snug would be provided at basement level. These rooms would each be served by a single east-facing window. The windows would face onto a lightwell, with a limited separation distance between the windows and outer wall of the lightwells, such that daylight to the proposed rooms would likely be compromised.
15. Other rooms, including a wine cellar, gym, plant room and bathroom, would also be provided at basement level. These would not be served by windows. However, these would not be habitable rooms.
16. Whilst no assessment of the daylight for the proposed habitable rooms at basement level has been provided, there is no dispute between the appellant and Council in respect of the remainder of the proposed dwelling. It is clear from the plans before me that the principle habitable rooms would be located on the upper floors, including the majority of bedrooms and living space. As a result, I am satisfied that the standard of accommodation, overall, would be acceptable in this instance.
17. In respect of outlook, the windows serving the proposed habitable rooms at basement level would be east-facing and they would look out into a lightwell of limited depth. Outlook from these rooms would therefore be limited. However, as explained above, I am satisfied that the standard of accommodation, overall, would be satisfactory.
18. Overall, I conclude that the proposed development would provide a satisfactory standard of living accommodation for future occupiers, in accordance with the relevant provisions of LP1 Policy TD1 which, in summary, seeks that developments maximise the quality of life and health and wellbeing of future occupants. This is in a similar vein to the objectives of the Framework, the Chiddingfold Neighbourhood Plan (2021) and the Waverley Residential

Extensions Supplementary Planning Document (2010), insofar as the amenity for future users is concerned.

Biodiversity

19. LP1 Policy NE1 requires that proposals for new development retain, protect and enhance features of biodiversity interest and ensure appropriate management of those features.
20. A bat survey, entitled Bat Emergence and Re-entry Survey, was originally undertaken at the site in 2020, following an initial Preliminary Roost Assessment survey. This survey concluded that one building at the site hosted a common pipistrelle bat and a long-eared bat night roost.
21. This survey is now several years old and therefore has the potential to be unreliable. Accordingly, a revised Preliminary Roost Assessment and Bat Emergence Survey was issued in support of the appeal. This was produced in 2022 and was assessed with reference to the original 2020 report. This confirms that the position in 2022 remained the same as in that original report, confirming the presence of a common pipistrelle day roost, with the likely occasional use by individual or small numbers of brown long-eared bats as a feeding or night roost.
22. The 2022 report sets out that bat mitigation licences would need to be obtained in order to carry out the works. These would require further bat emergence and re-entry surveys for the most recent bat season and set out a series of mitigation measures.
23. Planning Practice Guidance indicates that where a significant impact on biodiversity could arise, surveys should be carried out in advance of an application being made. Notwithstanding that the updated assessment is now potentially out-of-date, and that a further addendum may be required, the assessment concludes that the site's position had not changed in respect of biodiversity since the initial assessment. Although there is a possibility that things have changed since 2022, I am of the opinion that this is unlikely, particularly to any significant degree. Accordingly, in this particular case, I consider that it would be reasonable for an updated assessment/addendum to be requested by condition in the event that I were to allow the appeal.
24. Overall, I conclude that subject to a condition, the proposed development would be in accordance with the relevant provisions of LP Policy NE1 which, in summary, seeks to protect and enhance biodiversity. This is in a similar vein to the provisions of the Framework insofar as biodiversity is concerned.

Other considerations

25. The Framework is clear that substantial weight should be given to any harm to the Green Belt. '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.
26. I accept that the scheme would meet some other planning policy requirements, including internal space standards, the impact on heritage assets and highway safety. I also note that no objections were received from consultees in respect of archaeology and trees, and that officers did not object on the basis of character and appearance. However, as these matters are not in dispute

between the Council and appellant, they are neutral in my determination of the appeal. I afford them limited weight. I accept that the appellant has undertaken pre-application advice since the previously approved scheme. However, that advice is not determinative upon the scheme before me and I afford it limited weight.

27. The appellant contends that the visual enhancements to the site and reduction of visible built form through the removal of some other existing structures would represent very special circumstances. However, the clearance of those other structures, if desired, and the general enhancement of the site could happen without the redevelopment of it. I give this matter only limited weight.
28. I do not doubt the appellant's ambition to meet carbon reduction objectives. However, this is not dependant on the scheme before me and I give this matter only limited weight. A letter of support has been received, however this does not weigh in favour of the scheme.
29. The appellant also argues that redundant buildings would be brought back into use and the scheme would contribute to housing supply in the district. I acknowledge these points. However, meeting these objectives would not be dependant on the specific scheme before me. I therefore give these matters moderate weight.
30. I have had regard to a previously approved scheme at the same site under reference WA/2020/1845. Although I have limited information before me in respect of that previous scheme, including floorspace figures, the appellant's evidence sets out that the current proposal is larger than that previously approved scheme. It also appears to be the case that no basement level was proposed previously. Given that the permitted scheme would not wholly achieve the desired outcome of the appellant, I cannot be certain that there is any greater than a theoretical possibility that the extant scheme would be implemented. In any case, in omitting the proposed basement level, the permitted scheme would be considerably less harmful, and so does not justify allowing the appeal before me. I attach limited weight to these considerations.
31. My attention is also drawn to an appeal decision at Folly Farm. Whilst this is acknowledged, the characteristics of each site and location are different. Although I have limited information of this case before me, it is apparent that that other scheme related to a basement positioned entirely underneath the established dwelling, with no lightwells or other external alterations. It did not include a ground floor extension and is not located in the same geographical context as the site before me. This is in marked contrast with the circumstances at the appeal site. For these reasons, the circumstances that applied to that other site, and the planning balance there, are not directly comparable to those before me. I attach limited weight to these considerations.

Other Matters

32. The appeal site is located within the wider surroundings of Grade II listed building, Redlands Farmhouse. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Buildings and Conservation Areas) Act, I have had special regard to the desirability of preserving the setting of this asset. The verdant, agrarian surroundings of the listed building contribute somewhat to its significance. Nevertheless, given the nature of the proposal, together with its physical and functional separation from the listed building, I consider that it

would preserve the setting of the listed building and the contribution it makes to the asset's significance. I note the Council had no concerns in this regard either.

Green Belt Balance

33. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be allowed except in very special circumstances. In addition, there are impacts on openness here. Substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
34. Cumulatively, I attach no more than moderate weight to the benefits of the proposed development which make up the other considerations. As such, the other considerations do not clearly outweigh the harm to the Green Belt.
35. Consequently, the very special circumstances necessary to justify the development in the Green Belt do not exist. The proposed development would therefore not accord with the Green Belt aims of LP1 Policy RE2 and LP2 Policy DM14, or the Framework, as set out above.

Conclusion

36. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be dismissed.

A Price

INSPECTOR