



Appeal Decision

Site visit made on 22 November 2023

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2024

Appeal Ref: APP/Y3615/D/23/3323094

School Hill Cottage, School Hill, Seale GU10 1HY

- 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 Dr Saskia Wilson-Barnes against the decision of Guildford Borough Council.
 - The application Ref 22/P/01214, dated 12 July 2022, was refused by notice dated 8 March 2023.
 - The development proposed is erection of an outbuilding comprising an open-sided carport with workshop to rear (part retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for erection of an outbuilding comprising an open-sided carport with workshop to rear (part retrospective) at School Hill Cottage, School Hill, Seale GU10 1HY in accordance with the terms of the application Ref 22/P/01214, dated 12 July 2022, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. As the planning application form does not include a description of development, I have used the Council's description of development. The same description is also used by the appellant within the planning appeal form.
3. At the time of my site visit, I saw that the construction of the outbuilding had commenced. However, the construction works were yet to be completed, and I have determined the appeal on this basis.
4. Guildford Borough Council adopted the Guildford Borough Local Plan: Development Management Policies (LPDMP) on 22 March 2023. As a result, Policy HE7 of the Guildford Local Plan (2003) (GLP) cited in the decision notice has now been superseded by LPDMP Policies D18 and D20. Similarly, GLP Policy G5 has been superseded by LPDMP Policy D4. Both main parties refer to the LDMP policies within the officer report and appeal statement, and I have had regard to the LPDMP in reaching my decision.
5. The National Planning Policy Framework (the Framework) was updated in December 2023, and accordingly for the purposes of this decision I have referred to the latest version of the Framework. Both main parties have had the opportunity to comment on the amendments to the Framework and I have considered the appeal on this basis.

Main Issues

6. The main issues are:

- Whether or not the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies; and
- The effect of the proposal on the character and appearance of the local area and the appeal property bearing in mind the special attention that should be paid to the extent to which it would preserve or enhance the character or appearance of the Seale Conservation Area ('the CA').

Reasons

Whether or not the proposal is inappropriate development in the Green Belt

7. The appeal site is situated in the Green Belt. Paragraph 154 of the Framework indicates that, other than in connection with a small number of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. One of the exceptions outlined by paragraph 154 e) is "*limited infilling in villages*".
8. Policy P2 of the Guildford Borough Local Plan: strategy and sites (2019) (GLPSS) enacts national planning policy, as set out in the Framework, where new development is proposed within the Green Belt. There is no definition of '*limited infilling in villages*' within the Framework. My attention has been drawn to the supporting text of Policy P2 which states that limited infilling is considered to be the development of a small gap in an otherwise continuous built-up frontage, or the small-scale redevelopment of existing properties within such a frontage. It also includes infilling of small gaps within built development. The policy is therefore broadly consistent with the Framework, and I therefore give it substantial weight in this appeal.
9. The main parties agree that the appeal site is within the village of Seale. However, the question which is at the heart of this dispute is whether this is an infill plot. The Council contend that the exception in Paragraph 154 e) of the Framework is not applicable as the appeal site does not present a gap that appears starkly unique within the street scene as to separate a continuous built form.
10. The wider context of the development form and pattern of adjoining development should inform the assessment of whether the proposal would be limited infilling and the space within which the development would take place is also an important factor. I acknowledge that the loose-knit pattern of development on School Hill is such that there is not a continuous built up frontage for the length of the street.
11. However, the proposal is for an outbuilding within a part of a residential plot which is positioned between School Hill Cottage and the adjoining Richmond Cottage. The proposal would therefore be bordered on both sides by sizeable permanent buildings, which form a small gap within built development. Due to the limited spacing between School Hill Cottage and Richmond Cottage, the outbuilding encloses this small gap between the two dwellings. In my view, the single storey outbuilding is limited in scale and accords with the definition of infilling.

12. The proposal therefore meets the terms of the most relevant exception to inappropriate development within the Green Belt. Accordingly, I find no conflict with Policy P2 of the GLPSS nor the relevant parts of the Framework insofar as they seek to prevent inappropriate development from occurring in the Green Belt.
13. As the proposal is not inappropriate development, there is no need to consider the effect of the proposal on the openness of the Green Belt, nor is there any requirement to demonstrate very special circumstances to justify the development.

Character and appearance

14. The existing property is a small, detached nineteenth century cottage which has been extended recently. It is constructed with stone walls and hanging tiles and is positioned at the very front of its plot so that its front elevation adjoins the highway. School Hill itself is a narrow undulating road with a variety of detached dwellings of varying traditional architectural styles set in generously sized plots and bounded by open countryside.
15. The appeal site is within the Seale Conservation Area ('the CA'). Consequently, I have paid special attention to the desirability of preserving or enhancing the character or appearance of that area, as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
16. The character of this part of the CA, and its significance stems from, amongst other aspects, the arrangement of buildings with traditional architectural detailing which display early construction traditions and vernacular materials. Gaps between dwellings also allow some views out to the surrounding countryside, however in this part of School Hill the views are not expansive. With its stone built, vernacular architecture and gaps to the side of the property which allow filtered views to the ridge of an open field to the rear, the appeal site contributes positively to the character of the area.
17. The outbuilding has a single pitched roof with low eaves height and walls constructed in stone with brick dressings and a timber post structure forming the car port section. These external materials are consistent with the host dwelling, and therefore reinforce the character and appearance of this particular part of the street scene.
18. Whilst the host property is positioned at the front of the plot, the outbuilding is set back a significant distance from the highway, which the appellant indicates is approximately eight metres. As a result, the host property screens views of the outbuilding from the west on School Hill, and it is only visible in short stretches.
19. When approaching the appeal site from the east, the roof of the outbuilding is visible in close views above the hedge which runs along the boundary with Richmond Cottage. However, due to its single storey design, pitched roof form and the screening provided by the boundary hedging, the outbuilding is not an especially prominent feature.
20. The outbuilding is clearly visible in views from School Hill immediately outside the property. Outbuildings and garages are not uncommon features on this part of School Hill, and there are a number of prominent and sizeable garages nearby, for instance those found at Masku Tallit and The Old Post Office.

Consequently, the outbuilding is not an unusual or unexpected feature within the local street scene.

21. The outbuilding's large setback, simple architectural form with open elevations to the front and part of its side, combined with its construction at a lower ground level than the host dwelling, ensure that it appears subservient. Its pitched roof design with low eaves and the screening provided by the host dwelling itself, prevent the outbuilding's roof form from having a dominant presence within the street scene. In coming to this view, I have taken into account the size of the building's footprint.
22. Views from School Hill to the open countryside to the rear are generally framed by dwellings and their ancillary outbuildings. Views of the ridge of open land to the rear of School Hill Cottage remain possible beyond either side of the outbuilding's pitched roof, and the proposal does not significantly restrict views to the countryside from this part of School Hill to a harmful extent. Similarly, due to the appeal site's location, the proposal has no effect on important views of the nearby church. From the submitted evidence, the outbuilding does not appear to have a significantly greater impact on views out to the countryside than the previous garage and planting around it.
23. Summing up, the proposal does, to a limited degree, change the appearance of the appeal site, but it would not detract from the CA's key features of architectural and historic interest, nor significantly alter the extent of views around the appeal property and out to the countryside to the rear, or adversely affect the contribution the appeal site makes to the CA, as a whole.
24. For the above collective reasons, I find that the proposal would preserve the character and the appearance of the CA, and the proposal would not appear out of keeping with the scale of the site. The proposal would comply with Policies D4, D18 and D20 of the LPDMP and Policies P2, D1 and D3 of the GLPSS. Collectively these policies prioritise high quality design which contributes to local distinctiveness and ensures the conservation of heritage assets when considering the overall impact of development proposals upon their significance and importance. As I have found that no harm would be caused to the CA, it is not necessary for me to balance any harm against public benefits arising from the proposal.
25. I also find that the proposal complies with the principles within the Framework and the Guildford Residential Extensions and Alterations Supplementary Planning Document (2018). These expect development to be visually attractive as a result of a good layout whilst maintaining a strong sense of place and that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
26. The Council also alleges conflict with Policy D16 of the LPDMP. This policy relates to carbon emissions from buildings, and my attention has not been drawn to any words in it that are relevant to the character and appearance issues assessed above. The policy has therefore not been determinative in my reasoning on the issue.

Other Matters

27. The concerns expressed regarding the Council's conduct during the processing of the planning application are a matter for the Council and fall outside of the remit of this appeal.

Conditions

28. I have had regard to the various planning conditions that have been suggested. I have considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents and for clarity and consistency.
29. As the development has already commenced I have not imposed the Council's suggested condition in relation to the standard time limit. However, I have imposed an approved plans condition in the interests of certainty.

Conclusion

30. For the above reasons, and having had regard to all other matters raised, I conclude that the proposed development would accord with the development plan and the Framework. The appeal is therefore allowed.

B Pattison

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 1625/OS-01; 1625/P-01 and JEA-PROP-001a.

END OF SCHEDULE