



Appeal Decision

Site visit made on 30 January 2024

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 February 2024

Appeal Ref: APP/D3640/W/23/3324102

Chobham Adventure Farm, Bagshot Road, Chobham, Woking, Surrey GU24 8DB

- 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 Bean Chapman of T. Hilling & Co Limited against the decision of Surrey Heath Borough Council.
- The application Ref 22/0284/FFU, dated 22 March 2022, was refused by notice dated 14 December 2022.
- The development proposed is extension to existing reception building.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the appeal, an enforcement notice relating to, amongst other things, the use of an area of the wider site as a car park was withdrawn. The lawfulness of this and any other development subject to the enforcement notice, are not to be determined as part of this appeal.
3. The main parties were invited to provide comments on the latest National Planning Policy Framework (Framework). Where received, I have taken them into account in my reasoning.

Main Issues

4. The main issues of the appeal are:
 - Whether 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 proposed development on highway safety.

Reasons

Whether Inappropriate Development

5. The appeal site is in the Green Belt. The Framework outlines that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
6. One of the exceptions to inappropriate development in the Green Belt is for 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. No definition of disproportionate is given in the Framework. While the Council refer

to a 30% increase providing a general quantitative amount for disproportionate, no policy basis for this is given.

7. Therefore, an assessment is required as to whether the proposal would, when taken in combination with any previous additions to the original building, result in a disproportionate addition in terms of its size.
8. No additional parking is proposed as part of the scheme and I have assessed it as such. Using the Council's figures, the extension would result in a 28.7% increase in volume, 34.97% in footprint and 36.16% in floor space. The proposed extension would be lower in height than, with a roof slope that follows, that of the existing building which already has first floor accommodation and a substantial footprint. Therefore, even taken with any previous additions, the extensions would not result in disproportionate additions over and above the size of the original building.
9. Consequently, the proposal would not be inappropriate development in the Green Belt. As such, there is no requirement to consider the effect of the scheme on openness or the purposes of the Green Belt.
10. Policy DM1 of the Core Strategy¹ relates to the rural economy and does not specifically relate to inappropriate development and therefore is not directly relevant to this main issue.

Highway Safety

11. At the time of my site visit, which I appreciate is only a snapshot in time, there were a number of vehicles in the car park near the entrance. In addition, there were a small number of vehicles to the side of the appeal building where the proposal would be located. My visit was when the business was closing, and it had closed by the time of my visit ending. There was also a steady flow of traffic passing the site and vehicles coming and going from the other businesses sharing the same access.
12. The suggested and current business model does not intend to increase the number of visitors. It seeks to accommodate all of its visitors indoors during wet and peak periods, with customers booking tables and maintaining space between users. In addition, the evidence indicates that the number of visitors has dropped considerably from pre-COVID levels.
13. However, the business model is a choice of the current operator. The operator could change, or the business model could change in the future. The potential capacity and number of visitors at the site could return to previous levels even if this is not expected at present. The proposal would create a large area of additional usable space that could be used at the same time as, and as such, as well as the existing space, considerably increasing its capacity.
14. No specific wording for a condition to prevent this has been put before me to control the operation of the business, existing set up or number of visitors in the manner the scheme suggests. On the submitted evidence, I cannot be sure that a suitably worded condition could be imposed that would meet the relevant tests. Moreover, that such a condition would not be unreasonably onerous or practicably impossible to enforce. No other mechanism to control

¹ Surrey Heath Core Strategy and Development Management Policies 2011-2028

the potential changes is before me. Therefore, the proposed development could lead to a significant number of additional visitors using the site.

15. While some public transport options are available, it is likely that most visitors would come by private vehicle given the distances from Chobham and the relatively narrow footway near the site. I have no detailed information to the contrary. The proposal would lead to the loss of an area that I saw being used for parking. Although there are other areas at the site and it is indicated that the current car parks do not reach capacity, no parking survey is provided. As such, I have little evidence to support the statement on frequency or level of use or what period they related to.
16. Furthermore, the parking areas are not part of the application site and there is no clear information of what their current parking capacity or layout is. Therefore, I cannot be certain that there is capacity for the additional potential visitors and associated vehicles that the proposal could create to park at the site.
17. A lack of parking on site would lead to vehicles queuing to enter and exit the site. In the absence of any information to the contrary regarding traffic movements, this would lead to the flow of traffic being impeded and instances of vehicles associated with the appeal site parking on the road. This would lead to instances of dangerous and obstructive parking such at road junctions or on the relatively narrow footways near the site. This would contribute to highway congestion, further disrupting the flow of traffic and compromise the safety of road users and pedestrians.
18. Therefore, the proposed development would unacceptably harm highway safety. It would fail to accord with Policy DM11 of the adopted Core Strategy where it, in part, states development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted.

Planning Balance

19. The design, appearance and materials of the extension would align with the existing building and would be acceptable. This would be a neutral factor. Even if I were to agree that the proposal would not result in harm to the living conditions of nearby occupiers and users as well as to drainage and ecology, this would not weigh in favour of the scheme. The conduct of the Council is not a matter that affects my findings on the appeal.
20. The Highway Authority did not object to a previous application at the site². Nonetheless, from the details before me, that proposal also included a staff car park that is not part of this appeal. Therefore, it was a materially different proposal. In any event, I have found that harm would result from the appeal scheme. Any benefits from the provision of electric vehicle charging points would be small given the number suggested and there is no indication that their provision could only take place if the appeal were allowed.
21. There would be educational and health benefits associated with the ability for larger groups to have outdoor and out of class learning and there is support from a nearby college. The proposal would create additional and more stable year-round jobs. This, along with spend from visitors would result in associated

² 19/2317/FFU

benefits to local businesses and those in the wider area connected to the operation of the site. Economic development and the rural economy are supported by local and national policy, with the Framework stating that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

22. Notwithstanding this, other local and national policies seek to prevent development that would result in harmful highway safety effects. This includes the Framework where it states development should be refused on highways grounds if there would be an unacceptable impact on highway safety. That would be the case in this instance. On the evidence before me, I give greater weight to this harm than the benefits of the scheme.

Conclusion

23. The proposed development conflicts with the development plan when considered as a whole, and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
24. Therefore, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR