



Appeal Decision

Site visit made on 27 February 2024 by R Dickson BSc (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2024

Appeal Ref: APP/R3650/D/23/3322907

Fairacre, The Drive, Wonersh, Guildford, Surrey GU5 0QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs David and Jane Pudge against the decision of Waverley Borough Council.
 - The application Ref is WA/2022/02955.
 - The development proposed is described as "construction of garage and formation of new entrance, (including gates and gate pillars) and driveway."
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Decision

1. The appeal is dismissed insofar as it relates to the gates and pillars and allowed insofar as it relates to the construction of a garage. Planning permission is therefore granted for the construction of a garage at Fairacre, The Drive, Wonersh, Guildford, Surrey GU5 0QW in accordance with the terms of the application, Ref WA/2022/02955 and subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans, insofar as they relate to the garage only: Site Location Plan 22-1981-23-A; Proposed Block Plan 22-1981-24-A; and Proposed Plans and Elevations 22-1981-25.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The December 2023 changes to the National Planning Policy Framework (the Framework) have not affected its substance as it relates to the main issues of the appeal scheme. Neither main party's case would therefore be prejudiced by my reference to the new version in my recommendation.
4. I am aware of, but haven't seen, plans which show an alternative option for the gates and pillars. Since these were not before the Council when they determined the scheme, in the interests of fairness to all parties, I have taken the originals into account in my recommendation. Since development in respect of the garage has commenced, I have considered the appeal as seeking, in part, retrospective planning permission. This is reflected in the condition imposed. On which I have gone into more detail later.

Main Issues

5. The main issues are a) whether the proposal would be inappropriate development in the Green Belt; b) its effect on the openness of the Green Belt; c) its effect on the character and appearance of the area; and d) if it would be inappropriate development, 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 it.

Reasons for the Recommendation

Inappropriate Development

6. Policy RE2 of the Waverley Borough Local Plan Part 1 2018 (LP1) sets out that within the Green Belt there is a presumption against inappropriate development, and such will not be approved except in very special circumstances. Policy DM14 of the Waverley Borough Local Plan Part 2 2023 (LP2) sets out exceptions. Both policies are consistent with the Framework. It is common ground that the garage and the gates and pillars would be inappropriate development in the Green Belt. Neither party has advanced any compelling evidence to the contrary. As a result, the scheme would conflict with the Framework and the aforementioned policies of the development plan. This would be harmful to the Green Belt by definition.

Openness

7. Openness is an essential characteristic of the Green Belt and has both a visual and spatial dimension. The latter can be taken to mean the absence of built form. The front of the appeal site appears to be open with a large front garden area. The main dwelling sits parallel to the road, along with a former garage, which already has permission to become part of the dwelling.
8. The proposed garage would be shielded by the hedge which bounds the curtilage to the front, however it is likely that it would still be glimpsed from the road so there would be some noticeable loss of openness in the visual sense. In any event, there would be an unavoidable reduction in the Green Belt's openness by virtue of the garage's presence in the front garden where there were previously no buildings. The visual effect of the gates and pillars would be greater than the garage due to their obviousness in the street scene. One could say that they would take the place of hedging and thus their spatial effect could be more limited. That said, their appearance and height would still have a reducing effect on both aspects of the Green Belt's openness.
9. This harm to the openness of the Green Belt would be contrary to aims of the Framework and the aforementioned policies in that regard. It would be in addition to that caused by the appeal scheme's inappropriateness.

Character and Appearance

10. There are a mix of garage styles on the Drive. The scale and siting of the garage would be appropriate, given the scale of the host dwelling and size of the plot overall. Other double gates and piers of varying designs and sizes also feature within The Drive. This should also assist in acceptably assimilating the use of render as well as materials similar to the dwelling in the case of both built elements of the appeal scheme. Accordingly, the development would not harm the character and appearance of the area. As such, it would be in

accordance with Policy TD1 of LP1, and Policy DM4 of LP2, which together seek to ensure that development is sympathetic and responsive to the prevailing pattern of development, using high quality building materials.

Other Considerations

11. A certificate of lawfulness has been issued for a garage in-line with the front elevation of the dwelling (Council reference WA/2022/02899). While this advanced fallback position would have a slightly lower ridge line, it would have a larger footprint than the appeal scheme. Visually, the garage proposed under permitted development would be more prominent being sited directly adjacent to the house and would have the effect of creating elongated built form across much of the plot's width. This would be jarring when compared the other properties, and the verdant estate overall. All things considered, the alternative garage which could be achieved through the fallback position would cause harm to the character and appearance of the area.
12. The proposed garage at an angle would create a softer, more considered appearance within the front garden. Further, it has been demonstrated that the footprints of the two different garages would overlap, meaning that it would not be possible for both to be built. Work has commenced on the appeal scheme's garage and whilst that may indicate this is the one more likely to be built, it is at such an infant stage that there remains a chance the appellant could revert to the permitted development option.
13. In terms of the gates and pillars, I am aware there are other examples around the immediate area. This would however represent a lack of harm to the character and appearance of the area and thus a neutral consideration in any balance. I have made conclusions on this earlier. The Council have permitted similar development elsewhere and reached certain conclusions in regard to their adherence to Green Belt policy. This was not however the case with the appeal scheme, the Council noting that they would be both inappropriate development and lead to harm to openness. Matters with which I agree, as I have demonstrated.

Conditions

14. Since work in regard to the garage has commenced and I have no objections to the materials proposed, there is no need for conditions relating to either matter. A condition setting out the approved plans is however necessary, as far as they relate to the approved garage only.

Other Matters

15. The appeal scheme includes the creation of a new access. I am unaware if the road to which it would be connected is a classified one and thus whether this element would require the benefit of express planning permission. I do not see any objections on highway safety grounds therefore. Regardless, the new access goes hand in hand with the proposed gates and pillars, the appeal for which in regard to an element of the scheme before me is recommended for dismissal. I have not therefore considered the merits of this element any further. The same reasoning stands for the laying of the new driveway, the scale and amount of hardstanding for which may or may not require express planning permission on its own.

Conclusion

16. The appeal scheme as a whole would constitute inappropriate development in the Green Belt and would reduce its openness. These harms would result in conflict with the development plan and the Framework, to which substantial weight should be ascribed. I have taken into account the fallback position for the garage and this matter is sufficiently persuasive to be afforded the weight needed to clearly outweigh the harms to the Green Belt for the reasons I have explained and thus represent the very special circumstances necessary to justify it.
17. The same cannot however be said in regard to the gates and pillars. There are no other considerations here worthy of sufficient weight to outweigh the Green Belt harms they would give rise to. The very special circumstances necessary to justify them do not therefore exist.
18. A split decision is therefore reasonable and possible since the two elements of the appeal scheme are clearly severable. I therefore recommend the appeal be allowed in regard to the garage, subject to the condition set out, and dismissed in regard to the gates and pillars, for the reasons I have given.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed in regard to the garage subject to the condition set out, and dismissed in regard to the gates and pillars.

John Morrison

INSPECTOR