



Appeal Decision

Site visit made on 27 March 2024

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 APRIL 2024

Appeal Ref: APP/Y3615/W/23/3330829

Whipley Manor Farm Workshop, Whipley Manor Farm, Aldershot Road, Normandy, Surrey GU3 2BE

- 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 Ms Eleanor Crick (Suez Recycling & Recovery UK Ltd) against the decision of Guildford Borough Council.
 - The application Ref is 23/P/00572.
 - The development proposed is the change of use of an area of hard surface directly adjacent to the workshop to allow the parking of non-agricultural vehicles, plant and machinery and the storage of material ancillary to the operation of the site as a workshop.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have removed the word retrospective from the description of development above, as it does not describe development. However, for the avoidance of doubt, I saw on site that the hardstanding was used for the parking of non-agricultural vehicles, in accordance with the plans before me, and I have considered the appeal on the basis that the development has already taken place.
3. The Government published in December 2023 a revised version of the National Planning Policy Framework (the Framework). I am satisfied that no party would be prejudiced by making reference to the Framework in this decision. Similarly, since the determination of the application, Guildford Borough Council has adopted the Green Belt Supplementary Planning Document (SPD). Both main parties make reference to this document and as such, neither would be prejudiced by making reference to it in this decision.
4. Whilst not referred to in the refusal reason, the officer report sets out that the development conflicts with Policy D1 of the Guildford Borough Council Local Plan: Strategy and Sites 2015 – 2034 (2019) (SS), in relation to character and appearance. The appellant has also addressed this issue, and as such would not be prejudiced by reference to it in this decision.

Main Issues

5. The appeal site is located within an area of Green Belt. Accordingly, the main issues are:

- whether the proposed development would be inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies;
- The effect of the development on character and appearance of the surroundings; and
- if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether Inappropriate Development

6. The appeal site comprises of an area of hardstanding located adjacent to an existing workshop accessed off Aldershot Road. Immediately adjacent to the workshop site is a scrap yard and residential mobile home park. Otherwise, the site is surrounded by open agricultural land. Save for these developments, the wider area has a verdant countryside character.
7. SS Policy P2 requires the Green Belt to be protected from inappropriate development. Paragraph 155 (e) of the Framework establishes that the material changes of use of land within the Green Belt are not inappropriate provided they preserve its openness and do not conflict with the purposes of including land within it.
8. The Framework makes it clear that openness is an essential characteristic of the Green Belt. The courts have confirmed that the openness of the Green Belt has a spatial aspect as well as a visual aspect. This is also set out in the SPD.
9. The workshop provides maintenance for various vehicles, both agricultural but mainly non-agricultural however, the planning history¹ of the site sets out that the existing lawful use of the hardstanding is purposes of storing and parking of agricultural vehicle, plant and machinery.
10. Given that the work would take place within the workshop, other than the vehicles entering and existing the building (and notwithstanding the parked vehicles I observed on site), unlike the adjacent scrapyards, there is no indication that any non-agricultural work was taking place on site.
11. Even if the nondescript modern portal framed workshop building is found in non-rural sites, it would also sit comfortably within a countryside setting. I observed that, by virtue of its limited scale and siting, and relatively open aspect to the rear, the appeal site does not appear as part of the defined boundary of the larger residential site and commercial/industrial site adjacent. Rather, it appears as part of, or within, the surrounding open fields. I note that the Council and Inspector for the previous appeals describe the site as forming part of a larger agricultural holding, and overall, it retains that impression. As such, other than the vehicles, the site retains the wider agricultural and countryside character of the surroundings.

¹ Application reference 18/P/01535 & Appeal references APP/Y3615/C/12/2183308 & APP/Y3615/A/12/2181897

12. In relation to physical size, as set out in the submitted landscape statement², I am satisfied that there is little difference between agricultural and non-agricultural vehicles using the hardstanding, and I accept that it is difficult to quantify any difference in relation to vehicle movements or activity/intensity, particularly given the lack of restriction on current vehicle movements.
13. Nevertheless, the Courts have also recognised that the impact of a development on openness is not necessarily related to its size but also its purpose. Additionally, as set out in paragraph 143 of the Framework, one of the purposes of the Green Belt is to assist in safeguarding the countryside from encroachment, as referred to by the Officer Report, if not the refusal reason.
14. The Landscape Assessment sets out that views of the appeal site from the public footpath 385 is obscured by vegetation and the workshop building. Even if this is the case, and Viewpoint 2 in the Landscape Assessment suggest that vehicles not parked directly in front of the building may be visible from a distance, I observed on site that at the time of my visit, waste collection vehicles parked on the appeal site were clearly visible from the road, albeit in glimpses. The non-agricultural vehicles are more conspicuous than agricultural vehicles in this location due to their incongruity in this otherwise agricultural site. As such, there is some harm to visual openness in this respect.
15. This also results in the wider site visibly having a similar character to the adjacent yard, which is industrial and utilitarian in nature and contrasting to the wider rural setting. The proposal therefore urbanises the site and extends the adjacent industrial character. This detracts from the existing/previous character of the site and wider countryside character of the setting. As such, the change of use encroaches into the countryside.
16. Whilst the Framework has been updated in relation to Green Belts since 2013, it is noteworthy that the Inspector for the previous appeals at the site, when specifically considering character and encroachment, came to the same conclusion on this matter.
17. In light of the above, I conclude that the proposed change of use would harm the openness of the Green Belt and conflict with the purposes of including land within it. It would therefore represent inappropriate development in the Green Belt, as set out in SS Policy P2 and paragraph 154 of the Framework.

Character and appearance

18. As set out above, other than the non-agricultural vehicles, the appeal site retains the wider local agricultural and countryside character of the surroundings. The proposal, by virtue of the visibly industrial and utilitarian nature of the vehicles, urbanises the site. This is to the detriment of the rural setting and is visible from the highway.
19. As such, the proposal harms the character and appearance of the surroundings, in conflict with SS Policy D1. This policy requires all new development be designed to reflect the distinct local character of the area.

² By Stephenson Halliday dated August 2023

Other Considerations

20. The proposed change of use would aid the operation of the business, particularly given matters such as the limited size of the workshop, the importance of the hardstanding to the use of the workshop, and current requirement to immediately transport repaired vehicles off site, including for example, mid repair when waiting for spare parts. The use of the hardstanding for non-agricultural vehicle storage would also undoubtedly allow for a more effective use of the site for non-agricultural work for any other tenant/occupier. The Framework supports sustainable growth and expansion of all types of business and enterprise in rural areas.
21. However, even notwithstanding the harm that I have found in relation to the proposal, given the limited scale of the site, I can only afford this benefit modest weight.

Conclusion

22. Paragraph 152 of the Framework says inappropriate development is harmful by definition and paragraph 153 identifies that substantial weight should be given to any harm to the Green Belt.
23. The proposal constitutes inappropriate development in the Green Belt. I have also found harm to the character and appearance of the area. The other considerations cited in support of the proposal only carry limited weight do not clearly outweigh the harm in this case. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal is therefore contrary to SS Policy P2, the development plan as a whole and the guidance contained in the Framework relating to Green Belts.
24. For the reasons given above I conclude that the appeal is dismissed.

B Phillips

INSPECTOR