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## Appeal Decision

Site visit made on 25 April 2024

**by S D Castle BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 21 MAY 2024**

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**Appeal Ref: APP/A3655/W/24/3339381**

**Barnaby House, Roundbridge Park, Old Woking Road, Woking GU22 8JH**

- 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 S Dormer against the decision of Woking Borough Council.
  - The application Ref PLAN/2023/0793, dated 29 September 2023, was refused by notice dated 12 January 2024.
  - The development proposed is the erection of a proposed outbuilding, 2 x sheds, entrance gate, and outside dining area, together with associated landscaping and fencing (part retrospective).
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The appeal form and the Council's decision notice describes the development as 'change of use of the land from agriculture to residential garden land and paddock and construction of new timber fence and entrance gates. The erection of 2x outbuilding and a pergola (part retrospective).' This is a clearer description of what is being proposed. I have accordingly dealt with the appeal on the basis of this revised description.

### Main Issues

3. The main issues are:
  - whether the proposal would be inappropriate development in the Green Belt and its effect on the openness of the Green Belt and the purposes of including land within it;
  - the effect of the proposal on the character and appearance of the area;
  - the effect of the development on biodiversity and nature conservation; and
  - if the proposal would be inappropriate development, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

## Reasons

### *Green Belt*

4. The National Planning Policy Framework (the Framework) advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework outlines that the construction of new buildings, other than in connection with a limited number of specific exceptions, should be regarded as inappropriate in the Green Belt (paragraph 154). One of the exceptions cited is the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building.
5. The sheds and outside dining area (pergola) have already been constructed to the south of the dwelling. The proposed garden storage building would be located to the north of the dwelling. Both the existing and proposed buildings would be free standing from the dwelling and would appear as separately designed structures. The buildings are not, and would not be, visually perceived as extensions to the dwelling. The buildings do not, and would not, therefore, meet any of the exceptions set out in the Framework and they are, by definition, inappropriate in the Green Belt. However, even if they were considered as extensions, their combined scale would be significant in comparison to the existing dwelling.
6. The Council advises that the buildings would represent an approximately 55% increase in the footprint of the dwelling. This figure has not been disputed by the appellant and represents a substantial proportional increase. Whilst the proportional volume increase would be lower, the Framework does not provide any guidance as to what may be regarded as proportionate or disproportionate. I find that the cumulative scale of the existing and proposed buildings, combined with the consequent increase in spread of built form across the site, would result in the buildings being disproportionate additions over and above the size of the original building. As such, the buildings subject of this appeal would not meet the exception set out in the Framework at paragraph 154(c).
7. Paragraph 142 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential characteristic of the Green Belt. The construction of buildings where there were not previously buildings necessarily reduces the openness of the Green Belt. Consequently, the appeal buildings would have a detrimental spatial effect on openness as a result of their bulk. The buildings would also have a visual impact on openness due to the increased spread of the buildings being perceived in public and private views. The garden store would be glimpsed from the public right of way to the west of the site, and occupiers of the adjoining dwellings would view the buildings in private views. Whilst the reduction in openness would be limited and localised, it would nonetheless result in harm to the Green Belt.
8. The planning permission for the residential development of the Roundbridge Farm site includes approved plans<sup>1</sup> depicting Barnaby House contained within a verdant landscaped garden. The current appeal involves the extension of the approved garden area into the adjacent field, and the change of use of the remainder of the field from agriculture to a paddock.

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<sup>1</sup> PLAN/2013/0137

9. Framework paragraph 155 outlines that engineering operations; and material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. The change of use of the adjacent field from agricultural use to paddock would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. As such, that element of the appeal development does not represent inappropriate development in the Green Belt.
10. The development includes the extension of the residential garden to the north, east and south through the change of use of the adjacent agricultural field. The existing sheds are located within this extended garden area to the south, and part of the proposed garden store would be located within the extended garden area to the north. It is likely the change of use to residential garden would result in the stationing of domestic items, such as bins, garden furniture, clothes drying equipment, barbeques and play features within the extended garden area.
11. At the time of my site visit, a hot tub on an area of decking appeared to be sited within the extended garden area. Raised hard landscaping in the form of walls and seating areas were apparent within the rear garden also. Whilst external paraphernalia and the existing raised hard landscaping would not be prominent from public vantage points, they would nevertheless have a volume and, therefore, would have a detrimental impact on the spatial aspect of the openness of the Green Belt. Furthermore, the presence of domestic items and hard landscaping in the extended garden area would go against the purpose of Green Belt policy to safeguard the countryside from encroachment.
12. The approved landscaping scheme for the Roundbridge Farm development proposed verdant landscaped gardens, with a mix of garden walls and planted boundaries. The solid gate with brick piers and the closed boarded fencing constructed along part of the plot boundary for Barnaby House are not part of the approved scheme and they are detrimental to the openness of the Green Belt by virtue of their height and built form.
13. In conclusion on this main issue, the change of use of the agricultural field to residential garden would be inappropriate development in the Green Belt. Furthermore, the pergola, sheds, raised hard landscaping, the solid gate with brick piers, the closed boarded fencing, and the proposed garden store building do not meet any of the exceptions set out in the Framework and they are, by definition, inappropriate in the Green Belt.

#### *Character and Appearance*

14. Barnaby House is a large 2-storey dwelling recently built as part of the residential redevelopment of Roundbridge Farm. The site is located on the eastern edge of this small development which is arranged around a small yard. The site is predominantly surrounded by open countryside and a public right of way runs north to south past the western edge of the development.
15. The wider Roundbridge Farm development has houses arranged in a farmyard layout, with architecture reflective of traditional farm buildings. The approved layout and landscaping plans show the spread of built form consolidated within

the bulk of the dwellings and well contained within the predominantly planted garden boundaries.

16. The garden storage building would appear out of kilter with the farmyard style layout by virtue of its positioning disrupting the traditional courtyard style layout. The harmful visual effect of the storage building would be further exacerbated by its significant scale and its domestic, rather than utilitarian, architectural features.
17. The extended garden would utilise part of the attractive surrounding pastoral field and both the sheds and the garden storage building would project beyond the application site boundary of the original Roundbridge Farm permission. The buildings within the extended garden, in combination with the pergola, raised hard landscaping, the likely increased spread of domestic paraphernalia, the solid gate with brick piers, and the closed boarded fencing, represent harmful suburbanising changes to the rural setting of the dwelling that did not form part of the original permission for the Roundbridge Farm development.
18. The development would, therefore, cumulatively harmfully urbanise the rural character and appearance of the site, disrupting the original farmyard character of the Roundbridge Farm redevelopment, hindering its comfortable transition with the surrounding open countryside. This harm to the character and appearance of the area would be contrary to Policies CS21 and CS24 of the Woking Core Strategy (2012) (WCS). Taken together these policies require, amongst other things, that developments respect and make a positive contribution to the character of the area in which they are situated. For similar reasons the development would conflict with the Framework, including paragraphs 135 and 180.

#### *Biodiversity and Nature Conservation*

19. The development involves built form within and adjacent to the Roundbridge Farm Site of Nature Conservation Importance (SNCI). Policy CS7 of the WCS states that within locally designated sites, development will not be permitted unless it is necessary for appropriate on-site management measures and can demonstrate no adverse impacts to the integrity of the nature conservation interest. The policy goes on to state that development adjacent to locally designated sites will not be permitted where it has an adverse impact on the integrity of the nature conservation interest that cannot be mitigated.
20. The proposals are not supported by any ecological assessment of the impacts of the development and the development is not necessary for appropriate on-site management measures of the SNCI. Whilst the appellant refers to a previous ecological assessment relevant to the site, no such assessment is before me. Even if an historic ecological assessment was before me, it wouldn't have considered the effects of the current appeal development.
21. As such, insufficient information has been submitted to demonstrate that the proposals would not result in adverse impacts on the integrity of the SNCI, or that the development is necessary for appropriate on-site management. The development is therefore contrary to WCS Policy CS7 and the provisions of the Framework with regards to the protection and enhancement of biodiversity.

### *Green Belt Balance*

22. Condition 16 of the permission<sup>2</sup> granting the residential redevelopment of the Roundbridge Farm site prevents the construction of outbuildings and hardstanding on the site under the provisions of the General Permitted Development Order 2015 (as amended). Formal discharge of Condition 8 of the permission approved a hard and soft landscaping scheme, including details of boundary treatments and any means of enclosure. As such, there is no realistic fallback position with regards to these aspects of the development and I afford this consideration very limited weight.
23. Provision of the garden store would allow for the storage of garden equipment and domestic paraphernalia that may otherwise be spread across the site. The existing house, however, already includes a garage that has the capacity to provide storage for some such items. As such, I give this consideration limited weight in favour of the proposal.
24. The development represents inappropriate development which is, by definition, harmful. There would be harm to the openness of the Green Belt and conflict with one of the purposes of including land within the Green Belt given the development fails to assist in safeguarding the countryside from encroachment. These matters attract substantial weight against the development. Having considered all matters in support of the development, they collectively would not clearly outweigh the identified harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.
25. As such, the development conflicts with WCS Policy CS6 and Policy DM13 of the Woking Development Management Policies DPD (2016) and the Framework. Taken together these policies seek, amongst other things, to protect the essential characteristics of the Green Belt.

### **Planning Balance and Conclusion**

26. Substantial weight is given to the identified conflicts with the development plan, and the Framework, relating to Green Belt harm. Moderate weight is given to the identified harm to character and appearance, and to the conflict with policies relating to ecology and nature conservation. The limited weight given to other considerations in favour of the proposal noted above would not outweigh the identified harms.
27. The development therefore, conflicts with the development plan, when read as a whole, and there are no other considerations, including the Framework, that outweigh this identified conflict.
28. For the reasons given above, the appeal is dismissed.

*S D Castle*

INSPECTOR

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<sup>2</sup> Ref: PLAN/2013/0137