



Appeal Decision

Site visit made on 31 January 2025

by **G Ellis BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24th February 2025

Appeal Ref: APP/Z3635/W/24/3353174

WR Sports Club, The Clubhouse, Woodthorpe Road Ashford TW15 3JX

- 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 Len Claremont against the decision of Spelthorne Borough Council.
 - The application Ref is 24/00504/FUL.
 - The proposal is for the retention of hard standing for water tank and store shed and aggregate surface for parking and storage containers.
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Decision

1. The appeal is dismissed.

Procedural and Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was issued in December 2024. Whilst there has been some change to the national Green Belt policies, the pertinent sections to this appeal have not been substantially altered.
3. The site has been laid to hardstanding and contains two storage containers. It is, therefore, a part retrospective proposal, and I have considered it on that basis.

Main Issues

4. The main issues are: -
 - i) whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies;
 - ii) the effect of the proposal on the openness of the Green Belt;
 - iii) the effect of the development on the character and appearance of the area; and
 - iv) on the basis that the proposal would be inappropriate development in the Green Belt, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to very special circumstances required to justify the development.

Reasons

Inappropriate Development

5. The appeal site comprises a rectangular area located between the bowling green and a grassed area with children's play equipment. It is part of the WR Sports Club which comprises a mixture of leisure activities including tennis, bowling and table tennis. As well as tennis courts and the bowling green, there are a number of buildings, and a scout hut is currently under construction. The whole of the Sports Club is located within the Green Belt.
6. The Framework at paragraph 154 indicates that development in the Green Belt is inappropriate unless it relates to one of the exceptions. This includes (b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.*
7. Saved Policy GB1 of the Spelthorne Borough Local Plan pre-dates the Framework and is out of date in terms of the range of exceptions, and some of the specific wording is different compared to that of the Framework. It does nonetheless include an exception (b) in relation to outdoor sports and is consistent with the objective of maintaining the openness of the Green Belt.
8. The Council consider the development does not fall within this exception. They explain that the car park is not solely for users of the Sports Club, being used by commercial vehicles, that the water tank and storage facilities fall outside the provisions, and that fencing and gates have also been erected.
9. Both parties confirm that the appeal site was previously an open undeveloped area of land. It now has a hard surface of crushed aggregate with a concrete slab across the entrance area and is enclosed by fencing and gates. At the time of my site visit, there were two storage containers to the rear and one small commercial vehicle, but otherwise, it contained no permanent buildings, nor were any cars parked in the space.
10. The appellant explains that the land was initially intended for an additional bowling green but is surplus to requirements and is providing additional 'overflow' parking and storage associated with the wider existing use. The water tank and shed are existing facilities currently located adjacent to the table tennis building, but relocation is sought to facilitate an extension to that building.
11. These structures are existing facilities associated with the existing sports use and would still be such if they were relocated to the appeal site. However, it is also explained that the site is used by a member of the Sports Club for storage purposes, including vehicles and containers. Whilst the more extensive storage of vehicles related to the film industry at the time of the writers' strike has ceased, these are not activities directly related to the permitted use.
12. Taken in their entirety, the various elements would not be wholly connected with the existing use and, therefore, do not accord with the provisions of exception (b). As a result, the development constitutes inappropriate development in the Green Belt and is contrary to Local Plan Policy GB1 and the Framework.

Openness

13. The Framework explains that the essential characteristics of the Green Belt are their openness and their permanence. There is no definition of 'openness', but it is commonly taken to having both spatial and visual aspects and is a matter of judgement.
14. The proposal makes a spatial change with the extension of the hard-surfaced area and the associated parking of vehicles and structures. The surfacing effectively continues that of the adjoining parking area, and the vehicles, if associated with an activity on site, would be transient. However, whilst movable, vehicles and containers as storage have a more developed, character and appearance compared to the site if it were to have remained covered in grass or similar.
15. The relocated structures (water tank and shed) would not be significantly more prominent in the proposed location. Nonetheless, the introduction of the gates creates a subdivision, and adds to a commercial appearance.
16. The area is centrally located within the wider site, which from the outside is enclosed and has the appearance of a sports facility with a mixture of buildings, courts with artificial surfaces, car parking and associated facilities, including lighting and signage. Visually from the public footpath to the south, the area of land (nor the hardsurfacing) is not overly discernible, seen through fencing and in the context of the wider site and housing to the other side of the railway line. The containers, gates and vehicles would, however, add to the visual clutter of the site, and there would be some loss of openness.
17. Whilst I acknowledge that the adverse impact on openness would overall be limited, the openness would not be preserved which adds to the Green Belt harm.

Character and Appearance

18. The Sports Club is a large site to the north of Woodthorpe Road. There is open green space adjacent to the sports club, but it is located opposite a residential area with a pedestrian crossing directly linking the two. The northern boundary to the railway line is more open, with a green buffer strip along the edge and the rear gardens to properties in Queens Walk to the other side.
19. As set out above, whilst seen within the wider setting of buildings and the sports facilities, the changes have a more commercial appearance. The two containers with a connected roof, located close to the northern boundary, extend development across the site and disrupt the open edge to the railway line. Together with the temporary nature and scale of the containers, the associated activity would be to the detriment of the character of the site and surrounding area.
20. There is, therefore, conflict with policy EN1a of the Spelthorne Core Strategy and Policies Development Plan Document (2009) (DPD), which supports a high standard of design, the creation of places that are attractive, and that respect the character of the area.

Other Considerations

21. The appellant explains that the additional parking would help support the variety of activities which take place at the Sports Club. It would provide extra parking when the existing car park is full, aiding the safety of users, particularly those attending with children. The community and health benefits of the facilities on site are not disputed and, no doubt, are important and a valued asset for the local community.

The site does have a relatively large car park, and there is no specific evidence before me that the provisions are below any parking standards or have resulted in parking problems on the surrounding roads. Nonetheless, while having the flexibility of additional parking at peak times would support the club and utilise an unused area of land, the proposal is not just for parking.

22. Similarly, there is reference to the gates having been relocated, and the appellant indicates that they remain open and can be removed. While eliminating the physical division the removal of the gates would not overcome all of the concerns.
23. I have limited details of the extension to the table tennis club, which necessitates the need to relocate the water tank and shed, but the planning history provided indicates that permission was granted more than three years ago. Thereby, with no indication that work has commenced, this is not a matter to which I have attached weight.
24. Given its location within an existing sports complex, I agree that the appeal site does not directly contribute to the Green Belt purposes. I do not have any details in relation to the adjacent land being considered for a major housing site. However, future allocations and potential changes to Green Belt boundaries are separate matters. The site is located within the Green Belt, and I am required to assess the proposal against the current policies of the development plan.

Green Belt Balance

25. Very special circumstances can only exist if the harm I have identified is clearly outweighed by other considerations. I have found harm to the Green Belt by way of inappropriateness and openness and other harm in terms of the impact on the character and appearance of the area. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and that substantial weight should be given to any such harm.
26. Despite having regard to all the other considerations put before me in favour of the scheme by the appellant, I conclude that these other considerations taken together, do not clearly outweigh the harm that I have identified to the Green Belt.
27. The development would conflict with saved policy GB1 and the Green Belt policies of the Framework, together with policy EN1 of the DPD. Accordingly, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

28. For the reasons set out above I conclude that the appeal should be dismissed.

G Ellis

INSPECTOR