



Appeal Decision

Site visit made on 18 August 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 August 2025

Appeal Ref: APP/A3655/W/25/3367606

Cernunnos, Hermitage Bridge GU21 8XP

- 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 Baum against the decision of Woking Borough Council.
 - The application Ref is PLAN/2025/0199.
 - The development proposed is 3No outbuildings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the interest of clarity and brevity I have used the description of development adopted by the Council in the banner heading above. I have however removed any wording which does not refer to an act of development.
3. At the time of my visit the outbuildings had been constructed. My assessment is therefore based on the development and works as built and shown on the application plans.

Main Issues

4. The main issues are:
 - whether the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the development on the openness of the Green Belt;
 - the effect of the development on trees; and
 - whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

5. The appeal site is an area of land associated with Cernunnos, a houseboat moored on the adjacent Basingstoke Canal. Houseboats typically operate independently and include all facilities needed to provide living accommodation.

6. The appeal site is located within the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Whether inappropriate development

7. Policy CS6 of the Woking Core Strategy 2012 (CS) seeks to protect the Green Belt from inappropriate development. Policy DM13 of the Development Management Policies Development Plan Document 2016 (DPD) states that, unless very special circumstances are clearly demonstrated, the construction of new buildings in the Green Belt will be regarded as inappropriate.
8. The above policies are broadly consistent with the Framework, which sets out that the construction of a new building in the Green Belt should be regarded as inappropriate, unless it constitutes one of the exceptions set out in Paragraph 154. As the development comprises new buildings within the Green Belt, it does not fall within any of the exceptions listed under paragraph 154.
9. Paragraph 155 of the Framework sets out that other development in the Green Belt should also not be regarded as inappropriate where all the criteria listed apply. There is no compelling evidence before me to set out I should consider the land as grey belt. Nevertheless, even if it was, there is little compelling evidence that there is an identified unmet need for the type of development proposed. Therefore, the scheme does not meet all the requirements of paragraph 155.
10. As such, the scheme is inappropriate development in the Green Belt, having regard to the Framework and to CS Policy CS6 and DPD Policy DM13, which seek to protect the Green Belt.

Openness

11. The boundary treatments of the appeal site comprise post and rail fence, with some low-height vegetation and trees next to it. Overall, it displays an open aspect. The development comprises three detached outbuildings, a cabin located near the north-eastern boundary, a summer house placed towards the centre of the site and the blue shed positioned near the southwestern boundary of the site.
12. As confirmed in *Turner v SSCLG & East Dorset Council [2016] EWCA Civ 466* the openness of the Green Belt has a spatial aspect as well as a visual aspect. Cumulatively, the outbuildings provide a considerable amount of volume, bulk and mass of built form on site. Given their spread across the land, the outbuildings result in a proliferation of built form that is visible from Hermitage Bridge as well as from the adjacent footpath that runs along the canal because the site is not fully visually well-contained. Therefore, the development causes moderate harm to the openness of the Green Belt.

Trees

13. Hermitage Bridge is a narrow lane that runs through a block of woodland. The lane has a verdant character, deriving from the generous number of trees and limited built form. The Basingstoke Canal is adjacent to the site and the area has a rural, leafy character. The appeal site is a generous parcel of land with an irregular shape which contains various mature trees and shrubs. Given its tree coverage, the site makes an important contribution to the natural environment and to the pleasant character of the road.

14. The appeal buildings have been sited close to the existing trees, in particular the cabin and the blue shed. Consequently, in the absence of arboricultural details, I cannot be certain that the trees were not damaged during construction, nor that their siting is not harming the roots of the trees. Any significant damage or loss of these trees would undermine their good landscape value.
15. Therefore, the development does not adequately demonstrate the effect on trees, contrary to CS Policy CS21 and to DPD Policy DM2. Among other things, these policies seek to retain any trees of amenity value.

Other considerations

16. The cabin accommodates a counselling room used in connection with the appellant's business. Whilst I appreciate that it may not be possible to provide this within Cernunnos, there is no substantive evidence before me to demonstrate why the counselling room cannot be provided in a less harmful way. Therefore, this is of limited weight in favour of the scheme.
17. The cabin further accommodates laundry and toilet facilities for Cernunnos. However, given that houseboats are typically self-contained, and in the absence of any further details to justify the provision of these facilities outside Cernunnos, I attach limited weight to this.
18. The site was in the past subject to some antisocial behaviour. It was significantly overgrown and in a poor state with regard to ground quality and safety. The appellant has worked tirelessly to create a landscaped garden which improved the appearance and safety of the site. Additional planting has been provided within the land, which likely improved biodiversity. However, I am not persuaded that the development is the sole means to ensure that the site is well-kept and safe. As such, I afford this limited weight.

Other Matters

19. The site lies within the Basingstoke Canal Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The significance of the CA derives, in part, from the system of transport provided by the canal and adjacent tow paths. The outbuildings, given their siting, design and materials have a neutral effect on the character or appearance of the CA.
20. A third party directs me to a planning application on the opposite side of the canal¹. However, while it may be that some trees were felled in association with that scheme, I have very limited details regarding the circumstances of this case before me. As such, I cannot conclude it represents a direct parallel to the appeal development.
21. Retrospective planning permission was granted for the construction of two sheds² within the site. While it may be that the Council considered such scheme to be acceptable in arboricultural terms, based on the limited details provided, I am unable to make a comparison between that case and the appeal before me. Therefore, I have determined this appeal on its own merits.

¹ LPA Ref PLAN/2015/0079

² LPA Ref PLAN/2014/1190

Green Belt Balance

22. The Framework sets out that very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
23. The appeal scheme is inappropriate development that, by definition, harms the Green Belt. In addition, there is loss of openness and the effect of the development on trees has not been adequately demonstrated. The Framework requires that substantial weight is given to any harm to the Green Belt, and to any other harm. Even taken together, the other considerations presented in this appeal carry no more than limited weight. Therefore, very special circumstances to clearly outweigh the development's harm to the Green Belt, by reason of inappropriateness, and any other harm, do not exist.

Conclusion

24. The appeal scheme conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR