



Appeal Decision

Site visit made on 10 January 2026

by **J E Jolly BA (Hons) MA MSc MCIH MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 January 2026

Appeal Ref: APP/A3655/W/25/3371062

Houseboat Morpheus, Hermitage Bridge, Hermitage Road, St Johns, Woking, 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 Miss Claire Weatherley against the decision of Woking Borough Council.
- The application Ref is PLAN/2025/0363.
- The development proposed is for retrospective planning permission for 3 No outbuildings (2 No sheds and 1 No greenhouse).

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Miss Claire Weatherley against Woking Borough Council. This application will be the subject of a separate decision.

Preliminary Matters

3. For certainty, I have used the description of development given on the Council's decision notice.
4. Outbuilding Shed 1 of the appeal scheme has a lapsed temporary permission¹ which, while disputed by the Council, the appellant contends is now statutorily immune from enforcement action under Sections 171b (1) and 171b (3) of the Town and Country Planning Act 1990. However, as the proposal before me is for a combined and separate scheme for 3 outbuildings, this is a matter for the main parties and does not form part of my consideration in this determination.

Main Issues

5. The main issues in this appeal are:
 - whether the development represents inappropriate development in the Green Belt (the Green Belt) and if inappropriate development; the effect of the development on the openness of the Green Belt; 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,
 - whether the development would preserve or enhance the character or appearance of the Basingstoke Canal Conservation Area/Corridor (CA); and,
 - the effect of the development on nearby trees.

¹ PLAN/2014/1190

Reasons

Green Belt

a) Inappropriate development

6. Houseboat 'Morpheus' is located in the Green Belt and CA on the Basingstoke Canal. The land associated with 'Morpheus' lies adjacent to the canal towpath and near to a junction that includes Hermitage Road, Blackhorse Road and Brookwood Lye Road. The site can be accessed via a track from Hermitage Road and is surrounded by trees and hedges. The 3 appeal outbuildings on the appeal site are known as Shed 1, the Potting Shed and the Greenhouse. Other structures on the appeal site include Shed 2, a yurt, a log-store and a dog kennel. The proposal is for the combined retention of Shed 1, the Potting Shed and the Greenhouse.
7. I have had regard to the five purposes of the Green Belt, set out under Paragraph 143 of the Framework. As such, I am mindful that unless special circumstances apply, development in the Green Belt should be considered inappropriate development, subject to the exceptions given in Paragraph 154 and the criteria listed in Paragraph 155 of the Framework. There is no convincing evidence before me to persuade me that the development meets any of the exceptions in Paragraph 154, or that the land should be considered as grey belt land as set out in Paragraph 155. Therefore, I conclude that the scheme is inappropriate development in the Green Belt.

b) Openness

8. I am cognisant that the essential characteristics of Green Belts are their openness and their permanence, to which I afford substantial weight. Nevertheless, the appellant contends the appeal structures are modest domestic, ancillary, non-habitable outbuildings that are screened by vegetation and landscaping in an established garden setting.
9. To the contrary, the multi-structure proposal, which includes a corrugated metal roofed shed, an extensive glazed greenhouse and a bulky Dutch-barn type shed, is spread across the relatively open aspect of the appeal site next to the canal. Indeed, the structures cannot only be seen from either side of the canal from the tow path by those passing by, but also from public viewpoints on the elevated Hermitage Bridge.
10. I conclude therefore, that the structures erode the spatial and visual appearance of the location and fail to preserve its openness, which results in significant harm to the Green Belt. Very special circumstances for the development will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm are clearly outweighed by other considerations, which I will return to in my planning balance below.
11. Consequently, the development is contrary to Policy CS6 of the Woking Core Strategy (2012) (WCS) and Policy DM13 of the Woking Borough Council Development Management Policies, Development Plan Document (2016) (DPD), which say amongst other things that the Green Belt will be protected from harmful development, and the Framework when read as a whole.

Conservation Area

12. The appeal site is located in the CA. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which is supported by the national Planning Policy Guidance (PPG), requires the decision maker to have special attention to the desirability of preserving or enhancing the character and appearance of designated conservation areas within which development may occur. Moreover, Paragraph 212 of the Framework states that great weight should be given to an asset's conservation, and that this is irrespective of whether harm is substantial or less than substantial.
13. The special character and significance of the CA in this specific location is derived in part by the proximity of historic canal transport infrastructure and engineering that is set in a leafy location which helps to maintain the special and verdant quality of the Conservation Area.
14. I acknowledge outbuildings on the neighbouring site at 'Cernunnos' were found to have a neutral effect on the CA², and that houseboats have been moored at this location for over 60 years. However, the appeal site can be seen from either direction on the tow path and from both sides of the canal, particularly when walking towards Hermitage Road. Indeed, at the site inspection I observed that the paths are well used not only by walkers but also by cyclists, anglers, runners and those exercising dogs. The appellant has offered to reduce the scale of the Greenhouse, to relocate the Potting Shed in lieu of the dilapidated Shed 2 and to remove certain, but unspecified, small existing incidental structures from the site. Nonetheless, given the specific location of the appeal site, the combined, bulk, mass and layout of the outbuildings, as well as the light reflecting surfaces of the domestic-type Greenhouse at brighter times of the day and year, is more likely to draw the eye in comparison to the similar elements of the 'Cernunnos' site in respect of harm to the CA.
15. Moreover, even if passers-by perceive the operational purpose of the appeal site to be connected to 'Morpheus', the domestic paraphernalia on the woodland type area, for example, but not limited to, a log store, a yurt, a fire pit, play equipment/swing, planters, tall garden ornaments, refuse bins, cycles, vehicles, a dog kennel and various plastic crates would still detract from the verdant character and appearance of the historic waterside location. Additional landscaping would not be adequate mitigation.
16. As a result, I conclude that the development fails to preserve or enhance the character or appearance of the CA and results in an unacceptable degree of harm. I concur with the Council that this harm would be 'less than substantial' to which I will return to in my planning balance below.
17. Accordingly, I find that the scheme is contrary to Policies CS20, CS21 and CS24 of the WCS, Policies DM4 and DM20 of the DMP, as supported by Woking Borough Council's Supplementary Planning Document 'Design' (2015) and its Supplementary Planning Guidance 'Heritage of Woking' (2000), and the Framework, which aims include that development should make a positive contribution to the character, distinctiveness and significance of the historic environment.

² APP/A3655/W/25/3367606

Trees

18. Hermitage Bridge Road is set in woodland where a number of indigenous and non-indigenous evergreen and deciduous trees of varying maturity can be seen, including those found on the appeal site. In combination with the surrounding woodland, the trees at 'Morpheus' contribute to the sylvan nature of the site.
19. Notwithstanding Shed 1 has been in place for a number of years, the relatively recent appeal structures known as the Potting Shed and the Greenhouse are both located in close proximity to the nearby trees.
20. As such, given that the appellant has not provided a substantiated arboricultural assessment in support of her case, I cannot be certain whether the trees have been harmed by the installation of the outbuildings or not, or if the proposal would diminish the vitality, and hence verdant qualities, of the trees over time.
21. Therefore, whether the nearby trees are protected or not, and taking a cautious approach as the trees lie within the CA, I conclude that the proposal does not meet the aims of Policy CS21 of the WCS and Policies DM2 and DM4 of the DMP, which are clear that trees which are to be retained will be adequately protected.

Green Belt and Heritage Balance

22. I have found above that the appeal scheme would be inappropriate development that would result in significant harm to the openness of the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm are clearly outweighed by other considerations.
23. The appellant argues that the land adjacent to 'Morpheus' is long-standing residential curtilage associated with use of the houseboat. However, as supported by a previous appeal³, I concur with the Council's contention that 'Morpheus' as a houseboat is not classified as a dwellinghouse and therefore, does not benefit from a residential curtilage or any associated permitted development rights. Even if this were to be otherwise, I afford this very little weight when weighed against the harm to the Green Belt I have found above.
24. It is noted that elements of the proposal have been in place for a number of years which have drawn no recorded complaints, and that the scheme has the support of an adjacent neighbour who has recorded the appellant's site management over time. I consider this to be of limited weight as I cannot be certain if future occupiers would take a similar approach.
25. In addition, the proposal would result in 'less than substantial harm' to the CA. The courts have confirmed that 'less than substantial harm' does not equate to a 'less than substantial planning objection', and this is supported by the PPG which requires that whether a proposal causes 'less than substantial harm' will be a judgement for the decisionmaker, having regard to the circumstances of the case and the Framework. As such, Paragraph 215 of the Framework provides for a balancing exercise to be undertaken, between 'less than substantial harm' to the designated heritage asset on the one hand, and the public benefits of the proposal on the other.

³ APP/V2255/C/19/3225241

26. The economic benefits of the scheme would be minimal as the structures have already been purchased and installed.
27. Social benefits would include artistic opportunities related to 'Morpheus' and an outside area that would provide a consistent learning and play space for the appellant's growing family. However, as the occupation of the houseboat is likely to change over time, I give this minimal weight.
28. The appellant has brought to my attention the requirements of the Natural Environment and Rural Communities Act 2006 and the Wildlife and Countryside Act 1981. Nevertheless, as I have limited substantiated evidence before me in respect of biodiversity or wildlife, I cannot be certain that biodiversity would be eroded on the site following removal of the structures, or if it could be effectively relocated elsewhere. The appeal site is also 'de minimis' for the purposes of Biodiversity Net Gain. That said, environmental benefits include refuge for wildlife, including birds and bats, within existing timber/structures/nesting boxes on the site, the potential for additional trees and hedges to be planted, ongoing rainwater harvesting, carbon neutral heating, no dig gardening, and onsite chemical free food growing that reduces appellant's motor vehicle trips to local supermarkets. As the scheme is small scale, even in combination, I afford these benefits moderate weight.
29. The appellant has also outlined the financial burden associated with the Council's planning processes and procedures related to the scheme, which I acknowledge is likely to have caused her and her immediate family some distress. However, I do not consider that the personal circumstances in this case are sufficient to outweigh the harm I have found above to the Green Belt, CA and nearby trees.
30. I conclude therefore, and in the planning judgement, the above economic, social and environmental benefits and other considerations related to the scheme do not outweigh the less than substantial harm to the CA I have found above, or amount to very special circumstances that clearly outweigh the substantial weight that should be given to the harm to the Green Belt.

Conclusions

31. Having considered all matters raised in support of the proposal I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Accordingly, the development is in conflict with the adopted development plan when considered as a whole and given the above would also conflict with the Framework, and as there are no other material considerations that indicate a decision other than in accordance with those policies, I conclude that the appeal should be dismissed.

J E Jolly

INSPECTOR