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## Appeal Decision

Site visit made on 18 January 2019

**N Smith BA (hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 March 2019

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**Appeal Ref: APP/C3620/D/18/3210423**

**Woodlands Farm, Reigate Road, Hookwood, Horley, RH6 0HH**

- 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 Adam Breakspeare against the decision of Mole Valley District Council.
  - The application Ref MO/2018/0363/PLAH, dated 23 February 2018, was refused by notice dated 27 June 2018.
  - The development proposed is described as proposed detached store and garage.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this case are:
  - a) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
  - b) The effect on the character and appearance of the area;
  - c) Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, whether this would amount to the very special circumstances required to justify the development.

### Reasons

*Whether the proposal would be inappropriate development in the Green Belt*

3. The appeal site forms part of the garden area to Woodlands Farm, a Grade II Listed Building. The site contains a number of ancillary buildings, including a greenhouse and sheds which would be demolished as part of the appeal proposals, and replaced by a detached timber garage and store building with a hipped tiled roof. The appeal site constitutes previously developed land.
4. The Framework sets out, at Paragraph 145 (g) that limited infilling or the partial redevelopment or redevelopment of previously developed land should not be regarded as inappropriate development in the Green Belt providing that it would not have a greater impact on the openness of the Green Belt than the existing development.

5. In this case, whilst the garage and store would replace existing structures at the site, one of those would be a greenhouse, with a glazed, lightweight construction. Notwithstanding that the overall footprint of buildings at the site would decrease, the proposed building would be of a more substantial, wooden appearance and would be taller than the structure it would replace. I find that those factors would result in the development having a greater impact of the openness of the Green Belt than the structures that it would replace. There is nothing before me to indicate that existing planting around three sides of the building would be permanently retained and, in any event, it would not, in my view, remedy the harm to openness that I have identified to an acceptable level.
6. Paragraph 145 (g) of the Framework also describes that replacement buildings can be regarded as not inappropriate development, where the new building would be in the same use and would not be materially larger than the one that it replaces. The height of this building would be greater than the greenhouse that it would replace, and, in that regard, I consider that it would be materially larger.
7. Accordingly, I find that the development would constitute inappropriate development in the Green Belt, which is, by definition, harmful and that harm would be caused to the openness of the Green Belt, contrary to Policy CS1 of the Mole Valley Core Strategy 2009 (CS), which seeks to ensure that development is directed towards appropriate locations. I attach substantial weight to these factors, in accordance with paragraph 144 of the Framework.

*The effect on the character and appearance of the area*

8. The structure would be set alongside an existing ancillary structure at the site, within fairly close proximity to the main house. Its location, when taken together with its design and materiality, which I consider to be acceptable in this rural context, would prevent harm being caused to the landscape or to the character and appearance of the area. Accordingly, I have not identified a conflict with Policy CS13 of the CS or ENV4 of the Mole Valley Local Plan 2000 (LP), which seek, amongst other requirements, to protect landscape character. The absence of visual intrusion in terms of character and appearance does not in itself mean that there is no impact on the openness of the Green Belt as a result.
9. The Council has directed me towards Policy RUD9 of the LP, which describes circumstances where garages will normally be permitted in the countryside. I do not find that the building would have an excessive size or that it would be dominating in the context of the site. There is nothing before me to indicate that the building would be capable of conversion to a dwelling or that it would not be ancillary to the house. I note that the Council has identified a previous planning approval for the conversion of an existing garage at the site to ancillary accommodation. I do not have full details of that application before me, or confirmation that the conversion has taken place, but in any event, given that I have not found that the development would cause harm to the character and appearance of the area, I consider that it would comply with the apparent objectives of Policy RUD9.
10. I concur with the Council in finding that the appeal development would cause no harm to the setting of the Grade II Listed Building because of the appearance of the building and its siting.

*Whether very special circumstances exist*

11. Whilst I have found that the development would not cause harm to the character and appearance of the area, I have found that it would constitute inappropriate development in the Green Belt and that it would cause harm to its openness. I have attached substantial weight to these factors. In order for me to find the development acceptable, other considerations must clearly outweigh the harm that I have identified.
12. The appellant has provided a plan to show a replacement building at the same part of the site that the Council has granted planning permission for. The Council says that the building was found not to be materially larger than that which it would replace and so would not constitute inappropriate development in the Green Belt. On face value, that would appear to be the case, and thus I do not consider this scheme and the proposals before me to be comparable, nor would it weigh in favour of the scheme in light of my findings, above.
13. Whilst I note the support of the Council's Historic Environment Officer, those relate to the impact of the development on the setting of the listed building at the site, rather than the effect on the openness of the Green Belt.
14. I have not identified other material factors that individually or collectively would clearly outweigh the harm that I have identified to the Green Belt. Consequently, I find that the very special circumstances necessary to justify the development do not exist.

**Conclusion**

15. For the reasons that I have described, I find that the appeal should be dismissed.

*N Smith*

INSPECTOR