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PLANNING HISTORY

Recent planning applications just relating to the application site:

PLAN/2020/0456: Erection of two garage buildings following demolition of an existing outbuilding and relocation of another; associated fencing and landscaping. Refused 16.04.2021

Refusal reasons:

01. The proposal would harm the Green Belt. This would be by way of it being redevelopment of previously developed land which would have a greater impact on openness therefore constituting inappropriate development; for which 'very special circumstances' have not been demonstrated to outweigh this harm and other identified harm. The proposal is therefore contrary to Section 13 of the National Planning Policy Framework (2019), policy CS6 of the Woking Core Strategy (2012) and policy DM13 of the Development Management Policies DPD (2016).
02. The submitted application fails to demonstrate that the proposal would have an acceptable impact on trees. This would be by way of a lack of up-to-date arboricultural information being submitted. The proposal is therefore contrary the National Planning Policy Framework (2019) and policy DM2 of the Development Management Policies Development Plan Document (2016).
03. The proposal would have an unacceptable impact on flood risk. This would be by way of its proposed floor levels within Flood Zone 3 making its susceptible to flooding and by way of it leading to the loss of floodplain storage with no information provided as to why the proposal needs to be located in this area and no acceptable information on flood resilience and flood safety measures. The proposal is therefore contrary to section 14 of the National Planning Policy Framework (2019) and policy CS9 of the Woking Core Strategy (2012).
04. The submitted application fails to demonstrate that the proposal would have an acceptable impact on wildlife. This would be by way of a lack of information to demonstrate that the proposal would not adversely impact the local bat population. The proposal is therefore contrary to section 15 of the National Planning Policy Framework (2019) and policy CS7 of the Woking Core Strategy (2012).

PLAN/2018/0546: Erection of residential outbuilding to include basement storage for classic cars, an entrance hall/workshop and an outdoor ramp following demolition of an existing stables building and an existing residential building. Refused 19.07.2018

Refusal reasons:

01. The proposal would harm the Green Belt. This would be by way of it being redevelopment of previously developed land which would have a greater impact on openness therefore constituting inappropriate development; for which 'very special circumstances' have not been demonstrated to outweigh this harm and other identified harm. The proposal is therefore contrary to Section 9 of the National Planning Policy Framework (2012), policy CS6 of the Woking Core Strategy (2012) and policy DM13 of the Development Management Policies DPD (2016).
02. The proposal would have an unacceptable impact on the character of the area. This would be by way of it having a greater impact on the openness of the Green Belt and its scale, form and character unacceptably impacting on the rural open landscape character of the site and land to the north, west and south of it. The proposal is therefore contrary

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to section 7 of the National Planning Policy Framework (2012), policy CS21 of the Woking Core Strategy and Woking Design SPD (2015).

03. The submitted application fails to demonstrate that the proposal would have an acceptable impact on trees. This would be by way of a lack of up-to-date arboricultural information being submitted. The proposal is therefore contrary to section 11 of the National Planning Policy Framework (2012), policy DM2 of the Development Management Policies Development Plan Document (2016).
04. The submitted application fails to demonstrate that the proposal would have an acceptable impact on neighbouring amenity. This would be by way of a lack of information to demonstrate that the proposal would have an acceptable noise impact on neighbouring properties. The proposal is therefore contrary to policy DM7 of the Development Management Policies DPD (2016).
05. The proposal would have an unacceptable impact on flood risk. This would be by way of its proposed floor levels within Flood Zone 3 making it susceptible to flooding and by way of it leading to the loss of floodplain storage with no information provided as to why the proposal needs to be located in this area and no information on flood resilience and flood safety measures. The proposal is therefore contrary to section 10 of the National Planning Policy Framework (2012) and policy CS9 of the Woking Core Strategy (2012).
06. The submitted application fails to demonstrate that the proposal would have an acceptable impact on wildlife. This would be by way of a lack of information to demonstrate that the proposal would not adversely impact the local bat population. The proposal is therefore contrary to section 11 of the National Planning Policy Framework (2012) and policy CS7 of the Woking Core Strategy (2012).

PLAN/2017/0417: Construction of a Garage Building with ancillary accommodation and stabling following the demolition of existing stable block and existing residential unit. Refused 04.08.2017

Refusal reasons:

01. The proposal would represent inappropriate development in the Green Belt by way of its main garage use being a different use to the stables it would replace, by way of it being materially larger than the buildings it would replace and by way of the residential structure being sited in a different location to the bungalow it intends to replace without demonstrably improving the openness of the Green Belt. Adequate 'Very Special Circumstances' have not been demonstrated to justify this inappropriate development in the Green Belt. The proposal is therefore contrary to Section 9 of the National Planning Policy Framework (2012), policy CS6 of the Woking Core Strategy (2012) and policy DM13 of the Development Management Policies DPD (2016)
02. The proposal would have an unacceptable impact on special architectural and historical interest of the Grade II* listed Manor House and its setting. This would be by way of its scale, form, location and materiality impacting the significance of the four residential properties to the west of Manor House in terms of their historical and architectural setting in relation to Manor House. The proposal is therefore contrary to section 12 of the National Planning Policy Framework (2012), section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policy CS20 of the Woking Core Strategy (2012), policy DM20 of the Development Management Policies Development Plan Document (2016) and The Heritage of Woking (2000).

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03. The proposal would have an unacceptable impact on the character of the area. This would be by way of its scale, form, character and materiality giving it a contemporary and bulky character which dominate and be out of keeping with: the character of the cluster of four red-brick residential properties to the east, the form and character of the red-brick Grade II* listed Manor House as well as the rural character of the land to the north, west and south of the application site. The proposal is therefore contrary to section 7 of the National Planning Policy Framework (2012), policy CS21 of the Woking Core Strategy and Woking Design SPD (2015).
04. The proposal would have an unacceptable impact on neighbouring amenity by way of it creating an unacceptable overbearing impact on the garden space of The Old Dairy and Waterbutts Cottage: as well as the application failing to demonstrate that the proposal would have an acceptable noise impact on neighbouring properties. The proposal is therefore contrary to section 7 of the National Planning Policy Framework (2012), policy CS21 of the Woking Core Strategy (2012), policy DM7 of the Development Management Policies DPD (2016) Woking Design SPD (2015) and Outlook, Amenity, Privacy and Daylight (2008).
05. The submitted application fails to demonstrate that the proposal would have an acceptable impact on flood risk. The proposal is therefore contrary to section 10 of the National Planning Policy Framework (2012) and policy CS9 of the Woking Core Strategy (2012).
06. The submitted application fails to demonstrate that the proposal would have an acceptable impact on wildlife. The proposal is therefore contrary to section 11 of the National Planning Policy Framework (2012) and policy CS7 of the Woking Core Strategy (2012).

CONSULTATIONS

Byfleet, West Byfleet, Pyrford Residents' Association: No comments received

Council's Conservation Consultant: No objection

Arboricultural Officer: No objection subject to condition

Flood Risk and Drainage Team: No objection subject to condition

County Archaeologist: No objection

Historic England: No comments

Surrey Wildlife Trust: No objection subject to condition

SCC Highways: No objection subject to conditions

Natural England: No objection

REPRESENTATIONS

2 letters raising the following points have been received:

- The buildings are in keeping with the area and of a reasonable size and height
- Due to close proximity to our bedrooms vehicles should not be started/moved before 8am or after 6pm.

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- No construction workers should start on site before 8am
- No provision for sewerage for the WC
- Discrepancy in position of drainage attenuation tank between

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2021):

Woking Core Strategy (2012):

- CS6 – Green Belt
- CS7 – Biodiversity and nature conservation
- CS9 – Flooding and Water Management
- CS16 – Infrastructure and water delivery
- CS20 – Heritage and Conservation
- CS21 – Design
- CS24 – Woking's Landscape and Townscape

Woking Development Management Policies DPD (2016):

- DM2 – Trees and Landscaping
- DM7 – Noise and light pollution
- DM13 – Buildings within and adjoining the Green Belt
- DM20 – Heritage Assets and their Settings

Supplementary Planning Documents:

- Design (2015)
- Parking Standards (2018)
- Outlook, Amenity, Privacy and Daylight (2022)

In addition to the above, Section 72(1) places a statutory duty on decision makers to have 'special regard' to preserving or enhancing the character of conservation areas and states that '*with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in sub section (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a statutory duty on decision makers to have '*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*'.

PLANNING ISSUES

Background:

01. A number of planning applications have been recently refused on the application site. Planning application ref: PLAN/2020/0456 was the last for erection of two garage buildings following demolition of an existing outbuilding and relocation of another; associated fencing and landscaping. The current planning application now includes a 9 bay garage and 6 bay estate management building.

Impact on Green Belt

Whether Appropriate Development?

02. The application site is located in the designated Green Belt and as such Policy CS6 of the Woking Core Strategy (2012), Policy DM13 of DM Policies DPD (2016) and section 13 of

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the NPPF (2021) apply and these policies seek to preserve the openness of the Green Belt. The essential characteristics of the Green Belt are its openness and permanence. Paragraph 149 of the NPPF regards the erection of new buildings in the Green Belt as 'inappropriate development'. Exceptions to this include:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) 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;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

03. The general position, established by case law, is that development in the Green Belt is inappropriate and so needs to be justified by very special circumstances unless it falls within one of the closed list of specific exceptions set out in paragraphs 149-150 of the NPPF (2021).

04. The planning application is for a 9 bay garage to be used for parking of family vehicles and 6 bay 'estate management' building.

05. Paragraph 149(a) allows new buildings for agriculture and forestry and does not set any criteria limiting size. If the proposed building is for agriculture or forestry, it would not be inappropriate development in the Green Belt. It is also acknowledged that, in relation to "*buildings for agriculture and forestry*", R (Lee Valley Regional Park Authority) v Epping Forest DC [2016] EWCA Civ 404, (para 19) clarified that "*all such buildings are, in principle, appropriate development in the Green Belt, regardless of their effect on the openness of the Green Belt and the purposes of including land in the Green Belt, regardless of their size and location*".

06. The application site measures approximately 0.19ha and currently contains 1 stable building along the north-east boundary of the site. The application site forms part of the wider Byfleet Manor Estate which is approximately 22ha.

07. The Planning Statement submitted by the applicant states '*The [estate management] building has been designed to accommodate both the forestry equipment, and associated tools required for the continued management of the woodland and wider estate*' (paragraph 3.17). Document titled Iain MacDonald Design states the '*List of equipment needed to be permanently housed securely on site to carry out the above works, occupying 105 square meters, internal floor area*

- Fuel Store

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- *Chemical store, protective clothing, wash down area*
- *Handheld equipment –*
 - *Hedge cutters, hand lawn mowers etc*
 - *Chipper, Knapsack sprayer, brush cutter, strimmers*
- *All equipment associated with mobile irrigation*
- *Storage for equipment on hire, for example digger used to maintain ditches*
- *Workshop and machines maintenance area, with bench*
- *Dry Store for compost/mulch etc*
- *Tractor Shed –*
 - *ATV / Gator with trailer*
 - *Tractor, trailer, topping deck, loading bucket*
 - *Ride on mini tractor mower*
 - *Hayter lawn mower, Scarifier, roller, aerator, spreader*
- *Bog Mats*
- *Boat and tools associated with riverbank and pond maintenance*
- *Ladders, scaffold tower*
- *Log Store / Log splitter*
- *Fruit Store'*

08. The proposed estate management building has been split into 6 bays which would be used for welfare facilities, fishing tackle, chemical store and workshop and appliance and estate equipment store with a smaller side element having toilet facilities. The proposed building does not appear to have space dedicated for certain items listed above such as log store or boat.

09. The part of the estate management building to be used for the storage of equipment and machinery is the same as the 6 bay garage proposed and refused under planning application PLAN/2020/0456. The internal footprint of the building would be approximately 84sqm with the area labelled 'appliance and estate equipment store' measuring approximately 44sqm. Both of these are smaller than the space the applicant has advised is required to store the required equipment.

10. Although the applicant has provided a list of equipment and machinery to be stored in the building, the applicant has not provided a floor plan demonstrating that the required equipment will fit in the building. It is not known why the building would have a ridge height of approximately 4.1m and door height of approximately 2.2m and door width of approximately 2.6m which will be used for all equipment. It is considered that the building has not been designed to store the required equipment and the applicant has not demonstrated that the access to the building is sufficient for storing equipment such as a tractor or digger. It also not clear why equipment such as a fishing tackle store room or a boat and tools for riverbank and pond are required for forestry and agriculture. The document titled Iain MacDonald Design advises that the building will also be used to store equipment and machine to restore and maintain the water meadows and formal gardens. It is considered that these uses do not fall under the definition of forestry and agriculture.

11. The applicant has advised that the equipment is needed to maintain the wider estate (which includes tree planting and other maintenance), water meadow and formal garden. The planning statement refers to woodland management objectives in an Appendix which has not been submitted with the planning application. None of these activities constitute either agriculture or forestry and there is no evidence of agriculture or commercial forestry activities being carried out at the site or on wider land.

12. The 9 bay garage would be used for storing cars owned by the applicant and, as such, does fall under an agricultural or forestry use either.

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13. Consequently, it is not considered that the applicant has demonstrated that the proposed structures are for existing or proposed viable agricultural or forestry activities or that the size of the proposed buildings are necessary to accommodate storage of required equipment listed above or that this equipment is associated with activities that are related to agriculture or forestry. The use of the proposed building would therefore not fall within the exception to inappropriate development under paragraph 149(a) of the NPPF (2021).
14. Paragraph 149(d) allows the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
15. Policy CS6 of the Woking Core Strategy (2012) and Policy DM13 of DM Policies DPD (2016) reflects the NPPF (2021) regarding the Green Belt. In addition, Policy DM13 of DM Policies DPD (2016) states that replacement buildings in the Green Belt are inappropriate unless the proposed new building:
 - '(i) is in the same use as the building it is replacing;*
 - (ii) is not materially larger than the building it is replacing; and*
 - (iii) is sited on or close to the position of the building it is replacing, except where an alternative siting within the curtilage demonstrably improves the openness of the Green Belt'.*
16. The supporting text for Policy DM13 of the DM Policies DPD (2016) advises that when assessing whether a replacement building is materially larger than the one it replaces, the Council will compare the size to that existing, taking account of siting, floorspace, bulk and height. As a general rule a replacement that is no more than 20-40% larger than the one it replaces will not usually be considered disproportionate, although this may not be appropriate for every site.
17. The planning statement advises that the estate management building will be *'relocated from the east side of the estate'*, however no details of the location, use, size or condition of the existing building have been provided. The applicant has not provided any evidence with the application that the building to be *'relocated'* currently exists. There is a garage building of a similar design sited approximately 131m to the north-east of the application site. However, this building is not within the red line on the submitted location plan and is not considered in close proximity to the proposed building. Current pending planning application (reference: PLAN/2021/1110) for an outbuilding including a swimming pool and gym includes the demolition of this building as justification for the swimming pool building. Permitted planning application reference PLAN/2018/0183 also included the demolition of this building as justification for the construction of a glasshouse. Although PLAN/2018/0183 has lawfully commenced, the applicant has decided not to implement this due to a change in their leisure requirements. It is considered that the building the planning statement refers to that is located to the east to the estate cannot be considered to be an existing building being replaced in the context of this application.
18. The proposal includes the demolition of an existing stable (identified as stable 1 on the submitted plans) building sited to the north-east of the application site.
19. The difference between the existing stable building and proposed buildings (estate management building and garage) in volume, footprint and height are summarised below.

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	Existing stable 1	Proposed garage	Proposed estate management building	Total proposed buildings	Total Percentage change
Volume	372m ³	485m ³	219m ³	704 m ³	+89%
Footprint	137m ²	187m ²	110m ²	297m ²	+116%
Height	2.9m	4m	4m	4m	+37%

20. The proposed replacement building would result in an 89% uplift in volume and 116% uplift in footprint compared to the existing stable building. These figures indicate that the proposed buildings would be materially larger than the existing stable building to be demolished and it is therefore considered to be inappropriate development within the Green Belt. The existing stable building is sited adjacent to the north-east boundary of the site. The proposed building would be sited along the south-east boundary of the site in close proximity to the stable building to be demolished.
21. The proposed buildings would be materially larger than the building they would replace. It is also unclear as to whether they would be in the same use as the building being replaced as the lawful use of the site is not certified. The proposal would therefore not fall within the exception to inappropriate development under paragraph 149(d) of the NPPF (2021) and would be contrary to Policy DM13 of the DM Policies DPD (2021).
22. Paragraph 149(g) of the NPPF (2021) states:
'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 – *not have a greater impact on the openness of the Green Belt than the existing development; or*
 – *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority'*.
23. It has already been established under previous planning applications (PLAN/2020/0456 and PLAN/2018/0546) that the application site comprises previously developed land. Further consideration of the impact on openness is set out below but the conclusion is that the proposals would have a great impact on the openness of the Green Belt.
24. Overall, the proposed development would not fall within any of these exceptions (i.e., NPPF paragraph 149(a), (d) and (g)) and would therefore constitute inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Impact on openness of the Green Belt

25. In addition to the question as to whether the proposals are harmful by definition by being inappropriate development, harm caused by the impact on the openness of the Green Belt must also be considered. Paragraph 137 of the NPPF (2021) states that *'the Government attaches great importance to Green Belts. 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'*.
26. Assessing the impact of developments on the openness of the Green Belt is not a simple mathematical or volumetric exercise. In Turner v SSCLG [2016] EWCA Civ 466 it was established that the concept of 'openness' is capable of having both a spatial and visual dimension and that in assessing the impact on openness, the decision maker should

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consider how the visual effect of the development would bear on whether the development would preserve the openness of the Green Belt. Furthermore, current Planning Practice Guidance sets out what factors can be taken into account when considering the impact on openness and includes “*the degree of activity likely to be generated, such as traffic generation*” and states that “*openness is capable of having both spatial and visual aspects*” (Paragraph: 001 Reference ID: 64-001-20190722 Revision date: 22.07.2019).

27. The impact on the openness of the Green Belt resulting from the proposed buildings is considered wholly different to the impact on the stable building to be demolished. The bulk, mass and height of the proposed building are all greater than the existing building to be demolished and would not maintain openness, indeed they would diminish openness.
28. The existing stable building to be demolished is sited approximately 1.8m from the north-east boundary and projects a maximum of approximately 5.6m from the boundary. The proposed buildings would be sited towards the south-east of the application site projecting approximately 23m from the boundary. It is considered that the increase in projection from the south-east boundary and spread in development across the site would have a greater impact on the openness of the Green Belt than the existing buildings.
29. The existing stable building to be removed is a common feature in the Green Belt and rural areas, to the extent that they are capable of constituting ‘appropriate development’ in the Green Belt as appropriate facilities for outdoor sport and recreation.
30. The use of the existing buildings are also ones that you would expect to see in a rural area. The proposed 9 bay garage and estate management building would significantly increase the comings and goings to the site.
31. Overall, it is considered that the proposed building would have a greater impact on the openness of the Green Belt than the existing development and therefore the proposal would not accord with the exceptions to inappropriate development at paragraph 149(a), (d) and 149(g) of the NPPF. In addition, given this identified harm to the openness this harm needs to be added to the other identified harm to the Green Belt resulting from the inappropriateness of the development.
32. Turning to the other NPPF (2021) exceptions to inappropriate development within the Green Belt those at paragraph 149(b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) 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, (c) (extension or alteration of a building provided not disproportionate over and above the size of the original building), (e) (limited infilling in villages) and (f) (affordable housing) are not considered to be applicable in this instance.*
33. The proposal would therefore be inappropriate development in the Green Belt causing harm both by inappropriateness and by being harmful to openness and is contrary to Policy CS6 of the Woking Core Strategy (2012), Policy DM13 of the DM Policies DPD (2016) and the NPPF.

Very Special circumstances

34. Paragraph 147 of the NPPF (2021) goes on to state that “*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*”. Paragraph 148 of the NPPF (2021) states ‘*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential*

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harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations". As such it must be established whether any 'very special circumstances' clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm (in this case the identified harm to openness.)

35. The applicant has advanced several arguments in favour of the proposal.

Very Special Circumstances Argument – secure storage for classic cars

36. The applicant has forwarded a Very Special Circumstance argument that secure garaging is needed for the applicants' classic cars. The planning statement advises *'it is considered reasonable that a property of the size and grandiose should have garaging and 'there is no other garaging on the property'*.

The applicant has not provided any information on the number of cars they own, where these are currently stored, what they are used for or why they all need to be stored in this location. Planning permission reference PLAN/2002/1265 permitted a 6 bay garage within the grounds of the Manor House, however pending planning application reference PLAN/2021/1110 proposes to remove this building and replace it with a swimming pool and gym. It is not clear why the applicant is using this building for the storage of garden machinery and proposing to demolish the building as part of another application if the applicant has a need for garaging or why another existing building on site cannot be used to accommodate any cars. Any benefits of storing a car collection at the site would be a purely personal and private benefit to the applicant and would bear no weight when weighed against the Green Belt harm.

Very Special Circumstances Argument – essential need for storage space for equipment

37. The applicant has advised that the estate management building is required to store equipment to manage the wider estate, water meadows and formal gardens, which do not form part of the application site. It is unclear why the applicant demolished three buildings within the application site that could have been modified to provide secure storage for the equipment, why the applicant is demolishing the current storage building if there is a need for a storage building or why another existing building on site cannot be used to accommodate such equipment. Even had such a need been identified, it would bear only moderate weight when balanced against identified Green Belt harm.

Very Special Circumstances Argument – improve the setting of the Listed building

38. The applicant has advised the proposal would improve the setting of the Listed Building. The impact on the setting of the Listed building has been assessed in the *Impact on the architectural and historical interest of the Statutory sited Buildings and their setting* section below. However, this would hold limited weight as Section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990* and the NPPF, Policy CS20 of the Woking Core Strategy (2012) and DM20 of DM Policies DPD (2016) all require proposals in any case to preserve and enhance the character of heritage assets in any case. As a legal and policy requirement this would not outweigh identified Green Belt harm. Moreover, the site is separated from the heritage assets by private properties which are not heritage assets.

Very Special Circumstances Argument – improved relationship with neighbouring properties

39. The proposed building would be sited further away from the north-east boundary with neighbouring properties. However, this would hold limited weight as Policy CS21 of the Woking Core Strategy (2012) requires development proposals to have an acceptable impact on neighbouring properties. The section on *Impact on Neighbours* below discussed the impact on neighbouring properties. There is no identifiable harm caused by the existing arrangements which would outweigh the clear Green Belt harms.

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Very Special Circumstances Argument – proposed rejuvenation of the area of the property and the security measures to be taken, are considered to represent public benefits

40. The applicant has not provided any details of what the security concerns are and if any other forms of on-site security have been fully explored. It is also not clear how the construction of 2 buildings and provision of landscaping on private land would represent a public benefit. Limited weight is therefore afforded to this argument.

Very Special Circumstances Argument – creation of a masterplan for the site

41. The applicant has provided a masterplan that provides details of the long-term renovations and repair programme of the wider property which include new planting. However, the majority of the master plan involves work that is not within the application site. It is also not clear why the masterplan did not include the reuse of an existing building with the wider estate for the storage of the applicants' cars and machinery. It is considered that the provision of masterplan for the site cannot justify the provision of a 9 bay garage and 6 bay estate management building.

Conclusion

42. A number of planning applications have recently been refused on the application site. Planning application PLAN/2020/0456 was for erection of two garage buildings following demolition of an existing outbuilding and relocation of another; associated fencing and landscaping was refused on 29 July 2020. These building were sited in the same position as the current proposed buildings and would all be used for the storage of classic cars within the ownership of the applicant. The application included storage for 15 cars. Planning application PLAN/2018/0546 was for the erection of residential outbuilding to include basement storage for classic cars, an entrance hall/workshop and an outdoor ramp following demolition of an existing stables building and an existing residential building was refused on 19 July 2018 and an appeal was submitted, but later withdrawn. This application included two buildings for an entrance hall/workshop and car lift at ground floor with a large basement for a car museum which included space for 33 cars. The buildings were sited in the middle of the site with the basement covering the majority of the application site. It was also proposed to open the museum to up to 50 guests 6 times a year. Planning application PLAN/2017/0417 for construction of a garage building with ancillary accommodation and stabling following the demolition of existing stable block and existing residential unit was refused on 4 August 2017. The proposal including a building to the north-east of the site for a 6 bays garage, with a workshop and stable block, a building to the south-west of the site for a car lift and studio (providing accommodation for the chauffeur) and basement for a car museum.

43. This application is assessed wholly on its own merits as a proposal for domestic garaging and storage associated with the management of the estate, However, given the recent planning history of the site and the clear intention of the applicant to secure a building for the housing of a personal, classic car collection at this location, there is some doubt as to the intended use.

44. Notwithstanding this, the proposed development is, in any case, not considered to fall within any of the exceptions to inappropriate development in the Green Belt within paragraph 149 of the National Planning Policy Framework (NPPF) (2021) (nor within paragraph 150), nor within Policy DM13 of the Development Management Policies Development Plan Document (2016), and therefore constitutes inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. Furthermore, by reason of its overall bulk, mass and height, the proposed development would harm the openness of the Green Belt. The arguments advanced by the applicant are not considered to constitute very special circumstances which would outweigh the harm caused to the Green Belt by reason of the proposal's inappropriateness. The proposal would therefore be

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contrary to Policy CS6 of the Woking Core Strategy (2012), Policies DM3 and DM13 of the DM Policies DPD (2016) and the National Planning Policy Framework (2021).

Impact on the architectural and historical interest of the Statutory sited Buildings and their setting

45. The residential properties adjacent to the east of the site are not statutory or locally listed. The Grade II Listed entrance walls and gate piers to Byfleet Manor are sited to the east of the application site with the Grade II* Manor House sited approximately 61m to the east of the application site.
46. Policy CS21 of the Woking Core Strategy (2012) states that new development should respect and make a positive contribution to the street scene and the character of the area within which it is located.
47. Section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990* states that '*in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*'.
48. Policy CS20 of the *Woking Core Strategy* (2012) states that '*alterations and extensions to listed buildings must respect the host building in terms of scale, design, use of materials, retention of the structure and any features of special historic or architectural importance. Planning applications will be refused for any alteration or extension to a listed building that will not preserve the building or its setting*'.
49. The NPPF, Policy CS20 of the *Woking Core Strategy* (2012) and DM20 of DM Policies DPD (2016) seek to ensure that development should preserve or enhance the character of heritage assets.
50. The proposal is for the demolition of an existing stable building sited adjacent to the north-east boundary of the site and erection of two detached buildings sited towards the south-east of the site. The proposed buildings would be accessed from a new access track that would run along the north-east boundary where the building to be demolished is sited. The proposed site plan shows there would be a permeable surface between the two proposed buildings.
51. Planning application PLAN/2020/0456 proposed a 6 bay and 9 bay detached garage. The current planning application includes a 9 bay garage which is the same size and in the same position as that proposed under planning application PLAN/2020/0456. The proposed 9 bay garage would be approximately 27.6m wide and 6.6m deep with a maximum height of approximately 4m. The proposed building would have 9 double garage doors in the north-west elevation providing access to each bay and be sited adjacent to the southern boundary.
52. The 6 bay garage proposed under planning application PLAN/2020/0456 has been reduced in width by approximately 6m, but has the same depth and height. The building would now also be used as an estate management building and not a garage. The proposed estate management building would be approximately 18.5m wide with a maximum depth of approximately 5.5m deep and maximum height of approximately 4m. The building has been subdivided into 6 bays with doors in the north-west elevation which would accommodate welfare facilities, fishing tackle, workshop, chemical store and appliance and equipment store.

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53. Both buildings would be sited to the southern part of the site and would be finished in timber with a clay roof and have a traditional agricultural appearance.
54. The proposed site plan shows indicative landscaping. Had the planning application been considered acceptable a condition could have required the submission of a landscaping plan.
55. Overall, it is considered that the proposed buildings would preserve the setting of the adjacent Listed Building, wall and pier gates and would not detract from character of the area.

Impact on neighbours

56. Policy CS21 of the Woking Core Strategy (2012) requires development proposals to '*Achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook*'.
57. The proposed development would be sited a minimum of approximately 3.7m from the east boundary and approximately 14m from the dwelling at Manor House Cottage, Mill Lane and approximately 1.4m from the south boundary and approximately 16m from the dwelling at Waterbutts Cottage, Mill Lane. Due to the separation distance and design of the proposed garage block and estate workshop building it is considered that there would not be a significant loss of daylight, overbearing impact or loss of privacy to Manor House Cottage, Mill Lane and Waterbutts Cottage, Mill Lane.
58. The proposal includes two buildings which would be used as a 9 bay garage and an estate management building to store equipment used for the maintenance of the land. The estate management building would be sited furthest away from the boundaries with neighbouring residential properties. It is considered that the proposal would not result in a significant noise impact on Manor House Cottage, Mill Lane and Waterbutts Cottage, Mill Lane.
59. Overall, the proposal is therefore considered to have an acceptable impact on the amenities of neighbours in terms of loss of light, overlooking and overbearing impacts and accords with Policy CS21 of the Core Strategy (2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the policies in the NPPF (2019).
60. However, the lack of any objection to the application on these grounds does not outweigh the other objection to the proposal.

Impact on public and private amenity

61. There is a public rights of way footpath (Number 94) that is sited to the north of the application site that passes through the access track to the application site. The proposal would increase traffic along the access road, it is considered that this would not have an unacceptable impact on the public right of way. Planning application PLAN/2020/0456 did not raise any objections to this arrangement.
62. It is considered that sufficient private amenity space would be retained for the dwelling at Manor House.
63. However, the lack of any objection to the application on these grounds does not outweigh the other objection to the proposal.

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Impact on parking and highways

64. The proposed detached garage and estate management building would be accessed from the north-east corner of the application site with a driveway proposed along the eastern boundary which is currently occupied by a stable building. SCC Highways have been consulted and raised no objection subject to conditions requiring the site to be laid out so vehicles can enter and leave the site in a forward gear and the provision of at least 2 electric vehicle charging points. Had the application been considered acceptable a condition could have secured 1 electric vehicle parking point and the site to be laid out so vehicles can enter and leave the site in a forward gear
65. However, the lack of any objection to the application on these grounds does not outweigh the other objection to the proposal.

Drainage and Flood Risk

66. Refusal reason 03 of planning application PLAN/2020/0456 states:

The proposal would have an unacceptable impact on flood risk. This would be by way of its proposed floor levels within Flood Zone 3 making its susceptible to flooding and by way of it leading to the loss of floodplain storage with no information provided as to why the proposal needs to be located in this area and no acceptable information on flood resilience and flood safety measures. The proposal is therefore contrary to section 14 of the National Planning Policy Framework (2019) and policy CS9 of the Woking Core Strategy (2012).

67. The application site is located in Flood Zone 3 and in and adjacent to areas with medium and high surface water flooding. A flood risk assessment and surface water drainage strategy have been submitted with the planning application. The Flood Risk and Drainage Team have been consulted on the application and raised no objection subject to the proposal being constructed in accordance with the submitted flood risk assessment and surface water drainage strategy. Had the application been considered acceptable a condition could have required the proposal to be built in accordance with the flood risk assessment and surface water drainage strategy.
68. It is considered that refusal reason 03 of planning application PLAN/2020/0456 has been overcome.

Impact on Archaeology

69. The application site is located in an Area of High Archaeological Potential related to Byfleet Manor. The County Archaeologist has been consulted and reviewed information submitted with this application and previous applications submitted on this site and raised no archaeological concerns regarding the current proposal. The proposal is considered acceptable in this regard.
70. However, the lack of any objection to the application on these grounds does not outweigh the other objection to the proposal.

Impact on Trees

71. Refusal reason 02 of planning application PLAN/2020/0456 states:

The submitted application fails to demonstrate that the proposal would have an acceptable impact on trees. This would be by way of a lack of up-to-date arboricultural information

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being submitted. The proposal is therefore contrary the National Planning Policy Framework (2019) and policy DM2 of the Development Management Policies Development Plan Document (2016).

72. There are mature trees within and adjacent to the application site that could be affected by the proposed development and during the construction phase. Policy DM2 of DM Policies DPD (2016) states the Council will *'require any trees which are to be retained to be adequately protected to avoid damage during construction'* and Core Strategy (2012) Policy CS21 requires new development to include the retention of trees and landscape features of amenity value.
73. The current planning application has been supported by upto date aboricultural information which reflects the current proposal.
74. The Council's Arboricultural Officer has been consulted and considers the information is acceptable. Had the application been considered acceptable a condition could have ensured compliance with the submitted information.
75. It is considered that refusal reason 02 of planning application PLAN/2020/0456 has been overcome.
76. However, the lack of any objection to the application on these grounds does not outweigh the other objection to the proposal.

Impact on Ecology

77. Refusal reason 04 of planning application PLAN/2020/0456 states:
78. *The submitted application fails to demonstrate that the proposal would have an acceptable impact on wildlife. This would be by way of a lack of information to demonstrate that the proposal would not adversely impact the local bat population. The proposal is therefore contrary to section 15 of the National Planning Policy Framework (2019) and policy CS7 of the Woking Core Strategy (2012).*
79. The current planning application has been supported by a Bat Scoping Assessment and Master Plan which includes information on wildlife and ecology.
80. Surrey Wildlife Trust have been consulted and with regards to bats have advised that if planning permission is granted then the applicant would need to obtain a mitigation license from Natural England and undertake all the actions which would be detailed in the Method Statement submitted to support the mitigation licence.
81. With regards to landscaping Surrey Wildlife Trust have recommended that a Landscape and ecological management plan (LEMP) is secured by condition. Had the planning application been considered acceptable conditions could have required the submission of a LEMP and details of any lighting prior to installation and an informative advising a mitigation license is required prior to any works which may affect bats commencing.
82. It is considered that refusal reason 04 of planning application PLAN/2020/0456 has been overcome.
83. However, the lack of any objection to the application on these grounds does not outweigh the other objection to the proposal.

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Community Infrastructure Levy (CIL)

84. The proposal is not CIL liable.

CONCLUSION

85. The proposed development is not considered to fall within any of the other exceptions to inappropriate development in the Green Belt within paragraph 149 of the National Planning Policy Framework (NPPF) (2021) (nor within paragraph 150), nor within Policy DM13 of the Development Management Policies Development Plan Document (2016), and therefore constitutes inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. Furthermore, by reason of its overall bulk, mass and height, the proposed development would harm the openness of the Green Belt. The arguments advanced by the applicant are not considered to constitute very special circumstances which would outweigh the harm caused to the Green Belt by reason of the proposal's inappropriateness. The proposal would therefore be contrary to Policy CS6 of the Woking Core Strategy (2012), Policy DM13 of the DM Policies DPD (2016) and the National Planning Policy Framework (2021).

86. The lack of objection on impact on the architectural and historical interest of the Statutory Listed Buildings and their setting, neighbours, parking and highways, Drainage and Flood Risk, archaeology, trees and ecology do not outweigh the other objections to the application. The application is contrary Policies CS6 and CS21 of the Woking Core Strategy (2012), Policies DM3 and DM13 of the DM Policies DPD (2016) and the National Planning Policy Framework (2021).

BACKGROUND PAPERS

1. Site visit photographs

RECOMMENDATION

Refuse planning permission for the following reason:

01. The proposed development is not considered to fall within any of the other exceptions to inappropriate development in the Green Belt within paragraph 149 of the National Planning Policy Framework (NPPF) (2021) (nor within paragraph 150), nor within Policy DM13 of the Development Management Policies Development Plan Document (2016), and therefore constitutes inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. Furthermore, by reason of its overall bulk, mass and height, the proposed development would harm the openness of the Green Belt. The arguments advanced by the applicant are not considered to constitute very special circumstances which would outweigh the harm caused to the Green Belt by reason of the proposal's inappropriateness. The proposal would therefore be contrary to Policy CS6 of the Woking Core Strategy (2012), Policy DM13 of the DM Policies DPD (2016) and the National Planning Policy Framework (2021).

Informatives

1. The plans relating to the application hereby refused are numbered:

371/101 Rev 5 received by the Local Planning Authority on 11.10.2021
371/104 Rev 4 received by the Local Planning Authority on 11.10.2021
371/105 Rev 3 received by the Local Planning Authority on 11.10.2021
371/108 Rev 0 received by the Local Planning Authority on 11.10.2021

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371/120 Rev 1 received by the Local Planning Authority on 03.11.2021
371/122 Rev 0 received by the Local Planning Authority on 03.11.2021
371/123 Rev - received by the Local Planning Authority on 03.11.2021
371/124 Rev - received by the Local Planning Authority on 03.11.2021

Heritage Statement by Planit Consulting received by the Local Planning Authority on 11.10.2021

Document titled 'Iain MacDonald Design' Consulting received by the Local Planning Authority on 11.10.2021

Volume Calculations received by the Local Planning Authority on 11.10.2021

Archaeological Monitoring and Historic Building Recording Report: Byfleet Manor, Byfleet Surrey by ADAS limited dated 13.12.2019 received by the Local Planning Authority on 11.10.2021

Archaeological Trail Trenching Report: Extension to the Existing Watercourse to River Way by ADAS limited dated 18.11.2019 received by the Local Planning Authority on 11.10.2021

Master Plan by al3d received by the Local Planning Authority on 11.10.2021

Planning statement by Planit Consulting received by the Local Planning Authority on 11.10.2021

Arboricultural Implications Assessment by David Archer Associates dated August 2022 received by the Local Planning Authority on 16.08.2022

Flood Risk Assessment ref: J-14004 dated 11/01/2021 received by the Local Planning Authority on 11.10.2022

Protected Species Report by ADAS dated June 2020 received by the Local Planning Authority on 11.10.2021

Draft Written Scheme of Investigation for an Archeological Programme of works by ADAS limited dated March 2019 received by the Local Planning Authority on 11.10.2021