**6e PLAN/2020/1045 WARD:** KNA

LOCATION: Whitfield Court, Littlewick Road, Knaphill, Woking GU21 2JU

PROPOSAL: Erection of a single storey dwelling, following removal of existing builder's

yard

APPLICANT: Mr Keith Sohl OFFICER: Bronwen Chinien

### **REASON FOR REFERRAL TO COMMITTEE:**

The application has been referred to Planning Committee by Councillor Hussain.

## SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the erection of a new single storey dwellinghouse, within the grounds of Whitfield Court (a Grade II\* listed building), following removal of existing builder's yard.

## **PLANNING STATUS**

- Green Belt
- Adjacent to Lower Knaphill Conservation Area
- Proximity of Grade II\* Listed Building (Whitfield Court)
- Proximity of Grade II Listed Building (The Barn, Whitfield Court)
- Thames Basin Heaths SPA Zone B (400m-5km)

### **RECOMMENDATION**

REFUSE planning permission.

### SITE DESCRIPTION

The application site (as defined by the red outline of the Site Plan) lies within the curtilage of Whitfield Court, which is a Grade II\* listed building. Whitfield Court is a residential dwelling set in extensive grounds (see blue outline on the Site Plan). Whitfield Court lies on the north side of Littlewick Road, within the Green Belt, beyond the limit of the 'urban area'.

The application site itself comprises an area of land within the Whitfield Court grounds, located north of the house and walled garden area. The site is used as a small scale builder's yard and this use has been established as lawful by way of continuous use for more than 10 years (PLAN/2020/0546). The site is laid to gravel/hardcore and is enclosed by timber fencing on three sides, to the north of the walled-garden of the Whitfield Court.

The site is located within the Green Belt and is adjacent to the Lower Knaphill Conservation Area.

## **RELEVANT PLANNING HISTORY**

PLAN/2020/0546 – Lawful Development Certificate (Existing Use) to establish whether the use as a builders yard including storage of bricks, concrete blocks, roof tiles, paving slabs,

scaffolding poles, ladders and boards, re-usable timber and similar building materials and the parking of vehicles began more than 10 years before the date of this application. Granted – 30.07.2020

In addition, Whitfield Court and the associated listed barn has a planning history which involves Listed Building Consent being granted for repair works and planning permission being granted for alterations to the Listed Building.

## **CONSULTATIONS**

- County Highway Authority: No objection
- **Historic England:** No objection or comments
- Heritage Conservation Advisor: No objection

"I do not consider the bungalow would cause harm to the setting of the entire complex of listed buildings. The design is low key and derivative of the form of the historic buildings on the site. I have no adverse comments" [Officer note: these comments are in relation to the heritage value of the site alone, not the wider character/design considerations]

## **REPRESENTATIONS**

Neighbours have been notified and no representations have been received.

## **RELEVANT PLANNING POLICIES**

#### South East Plan (2009)

Saved policy NRM6 of the South East Plan (2009)

## National Planning Policy Framework (NPPF) (2019):

Section 2 - Achieving sustainable development

Section 5 - Delivering a sufficient supply of homes

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

## Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS5 - Green Belt

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

CS11 - Housing Mix

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable construction

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

### Woking Development Management Policies DPD (2016):

DM10 - Development on Garden Land

DM13 – Buildings in and Adjacent to the Green Belt DM20 – Heritage Assets and their Settings

Supplementary Planning Documents (SPDs):

Parking Standards (2018)
Woking Design (2015)
Outlook, Amenity, Privacy and Daylight (2008)

### Other material considerations:

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations")

## **PLANNING ISSUES**

The main planning considerations in the determination of this application are:

- Green Belt
- Character of the area and Heritage assets (including setting of Listed Buildings and Conservation Area)
- · Residential amenity of existing residents and future occupants
- Highways and Parking
- Sustainable construction: energy and water consumption of the proposed building
- Thames Basin Heaths SPA
- Local Finance contribution

#### Impact on the Green Belt

### Policy background

1. The proposal site is in designated Green Belt and as such Woking Core Strategy (2012) policy CS6 'Green Belt', DMP DPD (2016) policy DM13 'Buildings Within and Adjoining the Green Belt' and section 13 of the NPPF (2019) apply. These policies seek to preserve the openness of the Green Belt. The NPPF (2019) establishes that the erection of new buildings in the Green Belt is 'inappropriate development'; exceptions to this are listed in Paragraph 145 of the NPPF (2019). The NPPF (2019) 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. 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 harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'.

#### Assessment

2. The proposal includes the subdivision of the plot of Whitfield Court and the erection of a new detached dwelling on land currently used as a builders' yard, to the north of the walled garden of Whitfield Court. As such, the new building would be inappropriate development in the Green Belt, which would – by definition – be harmful to the Green Belt.

- 3. The applicant's Planning Statement asserts that "the site is clearly previous developed land...and is therefore its redevelopment is acceptable in principle within Green Belt policy" This is a reference to the one of a number of exceptions (to inappropriate development) set out in the NPPF. Paragraph 145 of the NPPF (2019) 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"
- 4. However the NPPF defines 'previously developed land' as "land which is or was occupied by a permanent structure". Whilst the hardstanding and timber fencing of the existing builder's yard is considered to be 'development', it does not constitute a 'structure'. Therefore, the proposal site cannot be regarded as 'previously developed land'. Even if it were 'previously developed land' the proposed height and bulk of the building would be considerably more impactful on the openness of the Green Belt than the existing timber fence and hardstanding.
- 5. Furthermore, for the avoidance of doubt, the proposal is not considered to be 'limited infilling' (a potentially allowable exception of the NPPF, paragraph 145), as the new building would be significantly beyond the building line of existing properties to the east and west of the site, on Littlewick Rd, therefore is not 'infilling'.
- 6. The proposal would result in the erection of a new building in the Green Belt, not benefitting from an identified exception of the NPPF. Therefore it would be inappropriate development in the Green Belt and would result in a significant detrimental loss of openness to the Green Belt.
  - Very Special Circumstances?
- 7. As the proposal would constitute inappropriate development in the Green Belt, it remains to be considered whether 'Very Special Circumstances' (VSC) exist which clearly outweigh the harm otherwise caused by the development, by reason of its inappropriateness. A 'Very Special Circumstances' case has been alluded to in the Planning Statement; "the traffic generated by the existing yard [including commercial vans and a digger machine]....is considered greater than would be generated by a modest single storey dwelling". Whilst it is accepted that vehicular movements occur in relation to the builders yard, the scale of the operation is relatively small as illustrated by the fact that the use of the yard existed 'under the radar' for at least 10 years prior to the submission of the Certificate of Lawfulness application in 2020. As such, any reduction in vehicular movements arising from the change of use, would in no way outweigh the harm to the Green Belt, as previously identified.
- 8. In conclusion, the proposal represents inappropriate development in the Green Belt which would be harmful by definition and would impact detrimentally on the openness of the Green Belt. No Very Special Circumstances are considered to exist which would outweigh the harm caused to the Green Belt. The proposal would therefore be contrary to Woking Core Strategy (2012) policy CS6 'Green Belt', Woking DMP DPD

(2016) policy DM13 'Buildings Within and Adjoining the Green Belt', and the NPPF (2019).

Impact on the character of the area and Heritage assets, including setting of Listed Buildings and Conservation Area

9. The application proposed development within the curtilage of Whitfield Court (Grade II\*). This building originates from the 16<sup>th</sup> century and the adjacent Barn (Grade II) dates from the 18<sup>th</sup> century. Both buildings have timber frames and brick work to the exterior. These listed buildings are key features of the Lower Knaphill Conservation Area which extends further to the southwest of the site to include remnants of an old settlement in this area.

Legislation and policy background

- 10. Section 72(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 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 same Act requires similar consideration, in relation to Listed Buildings.
- Woking Core Strategy (2012) Policy CS21 'Design' requires development proposals to "respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land". Section 12 of the NPPF (2019) states that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions" and requires development proposals to "add to the overall quality of the area...", to be "visually attractive as a result of good architecture ... " and "sympathetic to local character and history, including the surrounding built environment...". Woking DMP DPD (2016) policy DM10 'Development on Garden Land' permits sub-division of plots providing the proposed development "...does not involve the inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area", "the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area" and "suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality".

Architecture quality of the building

12. The design of the building is a derivative of the form of the historic buildings of the site. The building would have a U-shaped footprint, with twin symmetrical gables on the north elevation straddling a central glazed core. This would form the primary elevation of the dwelling. This elevation would be located right up against the proposed curtilage boundary facing towards the woodland garden area of Whitfield Court (as discussed below). The layout and proportions of fenestration of the building would present a visually appealing design and the combination of timber cladding and brickwork elevations, with a clay-tiled roof would be in-keeping with style of the listed buildings and other associated outbuildings. The LPAs heritage conservation officer has assessed the proposal and has raised no concerns and neither have Historic

England. The distance away from the listed buildings (37m from Whitfield Court and 70m from the Barn) and the single storey scale combined with the vernacular design of the proposal, would result in no harm to the setting of the Listed building which is a designated heritage asset. Furthermore, the visual appearance of the building would be appropriate for the semi-rural setting and would comply with policy CS21 'Design' in terms of the architectural features of the building, when considered in isolation from the wider context of the site.

Scale of site and layout within the plot

- 13. Policy CS21 requires that "buildings and places must have their own distinct identity [including that] they should respect and make a positive contribution to the character of the area in which they are situated". Furthermore, policy DM10 'Development on Garden land' requires there to be "no inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area"
- 14. The proposed subdivision of the curtilage of Whitfield Court, would result in a new curtilage far smaller than the prevailing character of the area and the building would be squeezed into a plot area with no spacing ('front garden') at all between the principle elevation and the proposed timber post and rail fence (0.9m high) and a narrow pathway at the rear leading to a small private amenity space at the far side of the house. This cramped relationship with boundaries and contrived design is inappropriate for a large bungalow set in a semi-rural location.
- 15. The proposed design excessively relies on the current extended family arrangement for ownership/occupation for example the minimal boundary treatment proposed to give the appearance of being set within the curtilage of Whitfield Court (not its own curtilage, as required) in order to provide an identity/setting for the building. The design effectively proposes the new dwelling as an incidental building to the 'main house' of Whitfield Court. This design approach is unacceptable, as there is no guarantee that this situation would continue in perpetuity and nor would be it be appropriate to condition the occupation of a new dwelling (a four bedroom family dwelling) to be only used in conjunction with/at the discretion of the owners of another property. The application is for a new dwelling and needs to be assessed on this basis.
- 16. As such, the proposal would fail to create a building and place that is attractive with its own distinct identity and would result in an inappropriate sub-division of the existing curtilage of Whitfield Court. Therefore the proposal fails to comply with policy CS21 'Design' and DM10 'Development on Garden Land'.

## Neighbouring amenities

- 17. The nearest neighbouring properties to the proposed dwelling are Whitfield Court (following the proposed subdivision of the plot) and The Brambles. Both of the properties are more than 30m away from the proposed development. The scale and setting of the development would ensure there would be no loss of light to neighbouring properties, nor any overbearing impact to their habitable rooms. The distance separating the new dwelling from neighbouring properties would also ensure that there would be no loss of privacy in relation to habitable rooms of neighbouring buildings.
- 18. However, there would be a loss of privacy to the private amenity space of Whitfield Court, as the north elevation of the new dwelling would look directly across the wooded garden area. Notwithstanding the extensive grounds providing privacy from

overlooking in other areas of the garden, this direct overlooking of the wooded area of the garden would result in an unacceptable loss of privacy to Whitfield Court. As set out previously, although this may be acceptable to the applicant, there is no guarantee that the extended family occupation arrangements would continue in perpetuity and nor would be it be appropriate to condition the use of this new dwelling to be incidental to the 'main house' of Whitfield Court. The application is for a new dwelling and needs to be assessed on this basis.

19. As such, the proposal would result in loss of privacy to the garden of the neighbouring property of Whitfield Court. Therefore, notwithstanding the lack of objections relating to the private amenities of habitable rooms of neighbouring properties, the proposal fails to comply with policy CS21 'Design', policy DM10 'Development on Garden Land' and 'Outlook, Amenity, Privacy and Daylight' SPD (2008).

### Standard of Accommodation

- 20. The size of the rooms, would be acceptable, being well in excess of national minimum space standards. Daylight and outlook for the building would be adequate as shown on the proposed design i.e. with the timber post and rail fencing directly in front of the north (primary) elevation, with views over Whitfield Court's residual garden area. Outlook to the south is poor; looking directly onto the brick wall.
- 21. It is observed however, that ensuring adequate daylight and outlook along the primary elevation is highly dependent on the absence of closed-board fencing on the north elevation. As previously set out, the design solution of the dwelling effectively being proposed as ancillary to the 'main house' of Whitfield Court is unacceptable.
- 22. Overall the proposal is considered to achieve an acceptable standard of accommodation, as shown on the submitted plans, but in the context of the dwelling being occupied independently to Whitfield Court, this may not continue to be the case, for example if a closed board fence were erected on the boundary of the neighbouring property.

### Private amenity space

23. The Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) states that areas of private amenity space serving family dwellings should approximate with gross floorspace of the dwelling, but should always be as large as the building footprint, except in the most dense urban locations. Family dwellings are defined by the SPD as all houses and flats with two bedrooms or more and exceeding 65sqm gross floor space. The proposed dwelling would be a 'family dwelling' having four bedrooms (including rooms labelled as 'bedroom/study' and 'work room') and a footprint of 175sqm. The proposed private amenity space would be 89sqm. This is not commensurate with the scale of the dwelling and contrary to the council's SPD for private amenity space.

### <u>Transportation Impact:</u>

24. The Council's Parking Standards SPD (2018) sets a minimum parking standard of three car parking spaces for a four bedroom dwelling; the proposal would therefore exceed this requirement and the proposal is considered to provide sufficient off-street parking. Access to the site would be via an existing driveway, through Whitfield Court, leading to the application site. There would be sufficient space within the curtilage of each dwelling for the storage of bins and bicycles. The Country Highway Authority has

reviewed the proposal and raises no objection subject to conditions. Overall the proposal is therefore considered to have an acceptable transportation impact.

## Sustainable construction: energy and water consumption of the proposed building:

- 25. Planning policies relating to energy and water consumption have been updated following the Government's withdrawal of the Code for Sustainable Homes (CfSH). Therefore in applying Policy CS22 of the Woking Core Strategy (2012), the approach has been amended and at present all new residential development shall be constructed to achieve:
  - CO<sub>2</sub> emissions improvement of at least a 19% reduction over and above the 2013 Building Regulations TER Baseline (Domestic).
  - water consumption standard of no more than 110 litres per person per day Had the application been acceptable in other regards, this would have been secured by way of condition.

### Impact on the Thames Basin Heaths Special Protection Area (SPA):

- 26. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the Core Strategy states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes of the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.
- Policy CS8 of Woking Core Strategy (2012) requires new residential development 27. beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The proposed development would require a SAMM financial contribution of £1,094 based on a net gain of 1x four bedroom dwelling which would arise from the proposal. The Appropriate Assessment concludes that there would be no adverse impact on the integrity of the TBH SPA providing the SAMM financial contribution is secured through a S106 Legal Agreement. CIL would be payable in the event of planning permission being granted. Nonetheless no Legal Agreement has been submitted to secure the SAMM financial contribution given the other objections to the proposal.
- 28. In view of the above, and in the absence of a Legal Agreement to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwelling would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area, either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects, contrary to the Conservation of Habitats and Species Regulations (2017) (SI No. 1012 the "Habitats Regulations"), saved Policy NRM6 of the South East Plan (2009),

Policy CS8 of the Woking Core Strategy (2012) and the Thames Basin Heaths Avoidance Strategy 2010-2015.

## Community Infrastructure Levy (CIL):

29. The proposal would be liable to make a CIL contribution.

### **CONCLUSION**

- 30. The proposed development, would be a new building in the Green Belt, which is by definition inappropriate development and harmful to the openness of the Green Belt. Furthermore the proposed inappropriate division of the curtilage of Whitfield Court and the poor design of the dwelling in relation to its surroundings including a lack of separation to boundaries and inadequate boundary treatments, would fail to create an identity for the dwelling and fail to respect the prevailing character, pattern and grain of development in the area. The proposal would consequently result in a significantly harmful impact on the character of the surrounding area, neighbouring amenities of Whitfield Court (when occupied as an independent dwelling), inadequate standard of accommodation for occupiers and insufficient private amenity space for the proposed scale of the dwelling.
- 31. Furthermore, in the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling would not have a significant impact on the Thames Basin Heaths Special Protection Area.
- 32. This is contrary to the Woking Core Strategy (2012) policies CS21 'Design' and CS24 'Woking's Landscape and Townscape', Woking DMP DPD (2016) policy DM10 'Development on Garden Land', Supplementary Planning Document 'Design' (2015), the Thames Basin Heaths Avoidance Strategy (2010 2015), saved policy NRM6 of the South East Plan (2009), the Conservation of Habitats and Species Regulations 2010 (SI No. 490 the "Habitats Regulations") and the NPPF (2019). The proposal is therefore recommended for refusal.

### **BACKGROUND PAPERS**

- 1. Site visit photographs
- 2. Consultation responses
- 3. Design and Access Statement
- 4. Heritage Statement
- 5. Planning Statement

# **RECOMMENDATION**

REFUSE for the following reasons:

01. The proposed development, would result in the erection of a new building in the Green Belt which would be harmful by definition and would impact detrimentally on the openness of the Green Belt. No Very Special Circumstances are considered to exist which would outweigh the harm caused. The proposal would therefore be contrary to Woking Core Strategy (2012) policy CS6 'Green Belt', Woking DMP DPD (2016) policy DM13 'Buildings Within and Adjoining the Green Belt', and the NPPF (2019).

- 02. The proposed development, by reason of the size of the curtilage relative to building footprint, lack of separation at boundaries and inadequate boundary treatments, would fail to create a new dwelling with its own distinct identity and would result in an inappropriate sub-division of the existing curtilage of Whitfield Court. The proposal would consequently result in a significantly harmful impact on the character of the surrounding area, contrary to Woking Core Strategy (2012) policies CS21 'Design' and CS24 'Woking's Landscape and Townscape', Woking DMP DPD (2016) policy DM10 'Development on Garden Land', Supplementary Planning Document 'Design' (2015) and the National Planning Policy Framework (2019).
- 03. The proposed development, by reason of inadequate boundary treatments and when occupied independently of Whitfield Court, would result in a harmful loss of privacy to the garden of Whitfield Court contrary to Woking Core Strategy (2012) policies CS21 'Design' and Woking DMP DPD (2016) policy DM10 'Development on Garden Land', Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2019).
- 04. The proposed development, by reason of the small garden area compared to the footprint of the dwelling, would fail to provide adequate private amenity space, contrary to Woking Core Strategy (2012) policies CS21 'Design' and Woking DMP DPD (2016) policy DM10 'Development on Garden Land', Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2019).
- 05. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 2015) and saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2017 (SI No. 490 the "Habitats Regulations").

### **Informatives**

01. The plans relating to the development hereby refused are listed below:

Location Plan, uploaded 18.11.2020
Site Plan as Proposed – Drawing ref. P10 - uploaded by LPA 07.05.2021
Floor Plan as Proposed – Drawing ref. P14 – uploaded by LPA 12.05.2021
Roof Plan as Proposed – Drawing ref. P13 Rev A – uploaded by LPA 12.05.2021
Elevations as Proposed – Drawing ref. P16 – uploaded by LPA 12.05.2021
Cross sections as Existing – Drawing ref. E02 – uploaded by LPA 07.05.2021
Cross sections as Proposed – Drawing ref P11 Rev A – uploaded by LPA 12.05.2021

- O2. This statement is provided in accordance with Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015: Woking Borough Council seeks to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
  - o Offering a pre-application advice service

o Where possible officers will seek minor amendments and/or additional information to overcome issues identified during the application process

In this case the applicant did not seek pre-application advice. The application was considered to be fundamentally unacceptable in terms of Green Belt policy. The applicant was advised of this concern prior to determination.