

Our Ref: HBG/LF/23-146\_02

28 October 2024

Mr Tom Rae  
Planning Department  
North Herts Council  
Council Offices  
Gernon Road  
Letchworth Garden City  
SG6 3JF

By Email Only: [planning.control@north-herts.gov.uk](mailto:planning.control@north-herts.gov.uk)



**Barker Parry Town  
Planning Ltd**

33 Bancroft, Hitchin,  
Herts SG5 1LA

T: 01462 420 224

E: [office@barkerparry.co.uk](mailto:office@barkerparry.co.uk)

W: [www.barkerparry.co.uk](http://www.barkerparry.co.uk)

Dear Mr Rae

**Objection to Planning Application 24/01920/FP for the Altered vehicular access to facilitate the use of land as a community car park together with the installation of new gates and fencing and associated landscaping at Land East of Old Hale Way, Hitchin, SG4 0SA**

Barker Parry Town Planning has been instructed by Ms Monk, to review and comment on the above planning application in relation to the impact the proposal would have on the surrounding area. Ms Monk is the tenant of one of the allotments located to the south east of the Application Site.

Having reviewed the application documentation and inspected the Site, it is considered that the proposal will result in several negative material impacts upon the character of the area and the users of the allotments, contrary to Local and National Policy. These matters are set out in more detail below.

**Existing and Proposed Use**

The wider site has been subject to various planning applications since 2020, details of which are set out below:

- 20/00617/AG: prior approval for the construction of an *"agricultural building to store machinery and other such equipment required to farm the land"*.
- 21/01962/FP: retrospective planning permission sought and granted for the *"retention of a new vehicular/pedestrian bridge over the River Hiz and new farm track"*.

**Steven Barker**

Director

MA (Cantab) MA MRTPI

**Liz Fitzgerald**

Director (Managing)

BA (Hons) Dip TP MRTPI

**Registered**

England & Wales No. 5314018.

Registered Office same as  
office address



- 21/03485/LDCE: Lawful Development Certificate sought and granted for the *"continued use of existing agricultural land for use as private allotments"*.
- 22/02693/AG: prior approval for the *"erection of a polytunnel"*.
- 23/01652/FP for the *"Use of Land as a Community Car Park, New Gate and Associated Tree Planting and Landscaping"* (withdrawn).

This recent planning history strongly suggests that the land is solely used for private, agricultural purposes. However, page 3 of the cover letter submitted in support of the current application states that unofficial footpaths have been established by the Applicant, allowing the public to walk and cycle through the site which is also being utilised for a range of "community purposes", and it is suggested that the car park would serve those wishing to use the land.

There is no evidence within the application (or previous applications) to suggest that any footpaths have been established, where they are located or how many people use them. It is also difficult to see how anyone could enter the wider site to use any such footpath or alternative community uses from Old Hale Way/Arlesey Road given that its access road, which leads straight up to the agricultural barn, is gated and locked with a chain as seen in Image 1 below.



*Image 1: Locked gate preventing access to fields from Old Hale Way/Arlesey Road*

It is therefore highly likely that those using the footpaths would do so from the village of Ickleford – a place that one would not specifically travel to by car in order to walk around a field that does not contain any official footpaths.

It is noted that the proposal has been reduced in scale from the earlier, withdrawn, submission, with car parking spaces reduced from 75 to 30 spaces, but now with

the inclusion of EV charging points, an altered access arrangement and cycle parking provision.

The Applicant's cover letter asserts that the proposed car park will have multiple benefits including:

- To serve those using the land;
- As an overflow car park for Ickleford; and
- For farmers markets, car boot sales and the like.

We will consider the need for each in turn.

To serve those using the land.

There is no indication within the submission that there is a need for any additional parking provision associated with the use of this land or adjacent land. Where permission has been granted for elements of the uses suggested, parking has been provided and if there is a need for additional parking in association with those uses, the allotments for example, that parking should be located adjacent to the allotment plots.

This parking area is remote from those other uses and there is no evidence to demonstrate how it would facilitate those uses or be of meaningful benefit.

As an overflow car park for Ickleford.

The Applicant's assertion that the car park could serve the neighbouring village of Ickleford, citing its "*insufficient parking provision*", is fanciful. The number of services within Ickleford is limited to a handful of village shops, two public houses, one primary school, a village hall and church, all of which benefit from their own parking facilities. A sports and recreation club is also located to the north of the village, which again provides a car park on site.

There is no evidence to suggest that parking within Ickleford is not sufficient, let alone that a 30-space car park is required to service any (unfounded) need. This is supported by the comments received on the application from residents of both Hitchin and Ickleford.

For a farmers market, car boot or similar.

Finally, there is a distinct lack of information provided as to the details of the proposed car boot sales that could be held on this land, both in terms of frequency and the number of buyers/sellers that would be permitted at any one time.

Markets should be targeted towards town and village centres, where residents can be encouraged to walk to the location and/or carry out multi-purpose trips. Hitchin

already benefits from such activities which are popular and the Applicant has submitted no evidence to demonstrate that a further location is required.

What does 'similar uses' entail, given this Green Belt location; this is imprecise.

It is important that the nature of these uses be fully understood given their potential impact and the need for other facilities such as WC's or utility provisions.

We consider that the siting of a car park is an unnecessary incursion in what is currently a greenfield, open countryside location.

### **Green Belt**

As outlined in the Applicant's cover letter, the site is located within the Green Belt on a parcel of land forming part of an agricultural holding.

Chapter 13 of the National Planning Policy Framework (NPPF) (paragraphs 152 and 153) advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved unless very special circumstances exist whereby any potential harm is clearly outweighed by other considerations.

Paragraph 155 sets out forms of development that are not considered inappropriate in the Green Belt, provided they preserve its openness and do not conflict with its five purposes (our emphasis). The cover letter cites point e) the material change of use of land such as for outdoor sport or recreation, or for cemeteries and burial grounds, to justify the proposal's acceptability.

It is accepted that the use of the words "such as" in this paragraph means that the identified uses listed are not exhaustive (i.e. not a closed list) and therefore a car park could be deemed an acceptable change of use.

However, the application fails to adequately assess the impact that the development could have on the openness of the Green Belt as set out in Paragraph 155.

Planning Practice Guidance (PPG) provides advice on how to assess a proposal's impact on the openness of the Green Belt, with a judgement required based on the circumstances of the case.

Paragraph 001 Reference ID: 64-001-20190722 advises that a number of matters should be taken into account when making this assessment, including:

- *The spatial and visual impact of a development;*
- *The duration of the development and its remediability (i.e. the ability to return the land to its former or improved state of openness); and*
- *The degree of activity likely to be generated, such as traffic generation.*

## Spatial and Visual Impact

Page 5 of the application's cover letter claims that there are currently "*limited views through the site*" due to an existing bund at the frontage, and that the siting of cars would not affect the Site's openness as the bund would prevent them from being visible.

Whilst it is true that there is a grass bank adjacent to the footpath at the Site's frontage with unkempt vegetation growing on top at present (as seen in Image 2) and a newly formed unmade footpath behind, it is clear that the land on which the car park is proposed does not fall back down to the footpath's level within the site as is suggested by the Applicant. Instead, the land only falls behind the bund by circa 200mm, as seen on the topographical information included on the Proposed Site Access, Visibility and Parking Layout plan submitted with the application.

As a result the cars will not be hidden behind a bund (unless of course they are less than 200mm high!) but raised onto a plateau visible from the surrounding area and elevated above the road level.

Further openness will be affected by the 0.5-1m high bund proposed on the southern boundary of the site. Given no precise height has been given, it must be assumed that this will be 1m in height and will be highly visible from Old Hale Way, with existing views across the site being obscured and obstructed.



*Image 2: Photograph looking towards the Site from Old Hale Way (2023)*



*Image 3: Google street view looking towards the Site from Old Hale Way (2018)*

Moreover, when considering the visual and spatial aspects of openness, it is not only what can be seen when looking at the Application Site from the highway, but views across the whole Site from all directions, public or private. The openness that is currently viewed when looking across the wider Site from the east (i.e. where the so-called footpaths are located) would be severely impacted, particularly if the car park was being used to its maximum 30-vehicle capacity, especially as this application does not include any landscaping as the previous application included.

The cover letter makes the assumption that cars would only be parked for short periods of time, and would therefore not form a permanent presence, but this cannot be proven or indeed enforced by the Local Planning Authority. It would also not be the case if the car park were being used for a market or car boot sale, which is one of the reasons that the Applicant is seeking permission for this car park.

### Traffic Generation

The second matter pertaining to assessing a scheme's impact on the openness in the Green Belt is the amount of traffic likely to be generated as a result of the development. The Applicant has failed to address this matter at all, presumably as the increase in traffic movements is significantly greater than the existing use of the field.

The submitted Transport Assessment fails to acknowledge that there are no current movements from this site, however it is safe to assume that the number of vehicle trips to and from the Site will increase exponentially, particularly given the number of parking spaces that are proposed. Whilst the Transport Statement asserts that

there will be a negligible impact on highway safety, this is not the test for impact on openness. We have to assume, as the Applicant has provided no evidence, that this car park is needed and will be used to capacity, accordingly, 30 vehicles entering and leaving the site at regular intervals Monday-Sunday in daylight hours, is a significant change from the use of the land for agricultural purposes. It therefore has a meaningful impact on the openness of the site.

Two appeal decisions are attached that deal with car parks in the Green Belt, both appeals refer to earlier iterations of the NPPF, but those references are now the equivalent of Paragraph 155. What is clear from both decisions is that the introduction of car parking into an open agricultural field, where there is currently no development, will have a clear and demonstrable impact on the openness of the Green Belt.

Taking all of the above into account, it is our opinion that this development would have a detrimental impact on the openness of the Green Belt and therefore Paragraph 155e) of the NPPF does not apply.

Additionally, the proposed development would undermine the purposes of retaining this land as Green Belt. Having regard to the Green Belt Review supporting the Local Plan, the site falls into Parcel 13C which is considered to play a significant contribution to the Green Belt as it prevents urban sprawl northwards out of Hitchin and separates the settlements of Hitchin and Ickleford. The introduction of any development in this space will undermine the purposes of retaining it as part of the wider Green Belt. This is even more significant with the now approved residential development at Ickleford Mill, which brings residential development in an exceptionally close proximity to this site. The proposal would therefore undermine the purposes of the Green Belt, both in respect of encroachment into the Countryside and leading to coalescence of the settlements of Hitchin and Ickleford.

That being the case, the scheme would constitute inappropriate development in the Green Belt, with very special circumstances needed to justify its approval.

#### Very Special Circumstances

As discussed previously, the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved unless in very special circumstances. These will not exist unless harm to the Green Belt is outweighed by other considerations (Paragraph 152).

No very special circumstances have been advanced by the Applicant, but presumably the allusion to this being for the community is their attempt to demonstrate a special need.

The current use of the land, as set out in the earlier section of this letter, is deemed to be solely agricultural with vague reference within the cover letter to unestablished footpaths to enable to public to walk/cycle through the land.

However, with a gate blocking access to the proposed car park and no understanding of how this will be operated, it is difficult to ascertain to what extent the car park would truly be for the community. The need for a car park in this location has also not been explained or evidenced by the Applicant.

There is no requirement for additional parking in association with Ickleford, residents simply will not park here and walk along the narrow footpath into the village. It is acknowledged that the Applicant, following the withdrawal of the last application, has sought to create an unmade footpath from this application site to join the public roadside footpath to the south of the bridge opposite the Mill. This footpath is unmade, thus not suitable in winter and wet months and is not adopted highway such that it can be closed at any time. It is also not within the application red line boundary and cannot therefore be conditioned to remain open or to be surfaced.

There is no parking needed in association with the private allotment. There is plenty of space adjacent to the allotment that negates the need for additional parking.

There is no evidence of a need for farmers markets, car boot sales or similar activities.

In short, there are no very special circumstances for this parking in this location, as the need for it has not been established.

It is considered that the proposal results in inappropriate development in the Green Belt, and very special circumstances to justify development have not been demonstrated. The proposal is therefore in conflict with National Policy, and indeed North Herts Local Plan (NHLP) Policy SP5.

### **Highway Safety and Transport**

The covering letter accompanying the application suggests that approximately 30 parking spaces would be provided as part of the development, to a) serve those wishing to use the wider site, b) provide overflow parking to serve Ickleford and c) provide an area for occasional markets and car boot sales. Matters pertaining to the necessity or legitimacy of these assertions are discussed above.

The siting of gates at the entrance to the car park is proposed, however it is not specified how the gates would allow for access into and leaving the site. For example, would they open automatically, or would they have to be manually opened with a lock or otherwise? It would be somewhat odd to have a car park

benefitting the community that is locked; preventing the land from being accessible. There are no hours of operation contained within the submission at all.

It is noted that the Local Highway Authority have raised no objection in highway safety terms to the use of the site as a car park, but have concerns regarding the use of the site for farmers markets or car boots and have sought additional information.

In any event, depending on the number of vehicles entering or leaving at one time, this could create an issue in terms of highway safety with a potential backlog of vehicles waiting to turn into the site, especially if it is to be used as a car boot sale location. Alternatively, it could significantly increase on-street parking detrimental to the safe and free flow of traffic along Old Hale Way.

As discussed above, the Applicant asserts that this will be used for overflow parking from Ickleford however, the footway running along Old Hale Way/Arlesey Road through to Ickleford is substandard by virtue of its width and lack of uniformity. The suggestion that a large number of residents and visitors to the area could use it to travel between the Site and Ickleford by foot is likely to result in further highway safety issues, as emphasised by a number of the comments made by local residents in their response to this application.

Moreover, the village is served by public transport in the form of three regular bus routes. Route 9B runs from Hitchin, through Ickleford and onwards to the nearby villages of Arlesey, Clifton and Shefford, before reaching Bedford approximately 15 miles to the north west. Route 74 from Hitchin also travels to Bedford but passes through Biggleswade, and route 89 ends up at Henlow making a number of stops within Henlow, Pirton, Shillington and Meppershall.

Policy T2 (Parking) of the NHLP seeks to influence car use through the promotion of alternative modes of transport. As described above, public transport in the local area is plentiful and an additional car park 10 minutes from Ickleford would only serve to promote an unsustainable mode of transport between Hitchin and Ickleford. Further, the proposal does not comply with Policy D1 (Sustainable Design) which states that permission will only be granted for proposals that minimise the visual impact of street furniture and parking provision.

## **Biodiversity**

As set out in NHLP Policy SP1, the LPA will support development that protects biodiversity and green infrastructure. Similarly, Policy NE4 (Biodiversity and geological sites) advises that permission will only be granted where biodiversity is protected, enhanced and managed, and that all development should deliver measurable net gains for biodiversity. It also requests that an ecological survey is submitted commensurate to the scale and location of development.

The Site is greenfield and therefore not classed as previously developed land; a BNG metric has been submitted with the application and it demonstrates a 16.49% loss of habitat. The applicant has suggested that this can be provided off site. Given the nature of this site and the initial preference to provide on-site mitigation, the applicant should explore the opportunities to provide on-site mitigation in the first instance, rather than dismissing this and seeking to provide a contribution for mitigation to be provided elsewhere.

### **Residential Amenity**

Whilst located within the Green Belt, the application proposes a car park in close proximity to residential dwellings, with the potential for car boot sales or farmers markets. The potential for noise impact has not therefore been considered.

As there are no hours of operation proposed, one must assume that the normal set up times for farmers markets and car boot sales of circa 6-7am is a realistic prospect, with members of the public visiting from circa 7am. Given the lack of detail provided by the Applicant it can only be reasonably assumed that this level of activity at this time of the morning, especially at weekends, will lead to an unacceptable level of harm and nuisance to adjacent residential properties and detrimentally affect their residential amenity.

### **Summary**

As outlined in previous sections, there are fundamental flaws with the proposed development, inaccuracies in the information submitted and a lack of supporting documentation or evidence to demonstrate need.

It is our opinion that the proposal constitutes inappropriate development in the Green Belt, with no very special circumstances provided to justify a grant of planning permission.

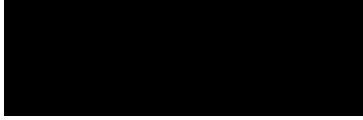
A number of highway safety issues would exist with no evidence to suggest that the siting of a car park, especially of this size, is required in this location. The current use of the wider site is vague and it is therefore unclear who, or what, the proposed development would serve.

Finally, the proposed off-site contribution to BNG without considering on site mitigation is flawed, and there is highly likely to be a detrimental impact on residential amenity from the early morning activities and parking associated with farmers markets, car boot sales and similar.

Overall, the scheme conflicts with numerous Local and National Policies, and we therefore request that planning permission is refused.

We trust that the above is clear, however should you require any further information, please do not hesitate to contact me.

Yours sincerely,



**Liz Fitzgerald**  
Managing Director



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# Appeal Decision

Site visit made on 20 April 2021

**by C Coyne BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17<sup>th</sup> May 2021**

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**Appeal Ref: APP/R4408/W/21/3267860**

**Spicer House, Spicer House Lane, Ingbirchworth, Barnsley S36 7GG**

- 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 Jeff Pears against the decision of Barnsley Metropolitan Borough Council.
  - The application Ref 2020/0670, dated 10 June 2020, was refused by notice dated 17 August 2020.
  - The development proposed is overspill car park and access track.
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The Council's officer report refers to use class D2. Since the determination of the original planning application this use class has been revoked by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 and replaced with use class F2. However, this change has not affected the determinative issues to this case, and I have therefore decided the appeal on this basis.

## Main Issues

3. The main issues are:
  - whether the proposal would represent inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant Development Plan policies;
  - the effect of the proposed development on the character and appearance of the area; and
  - if the proposed development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

## Reasons

4. The appeal site is within a large area of open agricultural land to the side of Spicer House, a sizeable property comprising several conjoined barns and domestic buildings that have been converted for use as a wedding venue and for corporate events. Spicer House also has a large area of hardstanding on its other side which is used for the parking and turning of vehicles. Spicer House and its grounds are set within a wider open agricultural landscape which is part of the Green Belt.

*Whether inappropriate development*

5. The *National Planning Policy Framework* (the Framework) states at paragraph 143 that inappropriate development is, by definition, harmful and should not be permitted except in very special circumstances. I consider Policy GB1 of the adopted Barnsley Local Plan (BLP) to be broadly consistent with the Framework as it states that the Green Belt will be protected from inappropriate development in accordance with national policy. Consequently, I have afforded it substantial weight.
6. The proposal would create a new vehicular access and track from Spicer House Lane to the part of the appeal site which would become an overspill car park for weddings and other events held at the house. The access track and overspill car park would both be created using bound porous natural stone aggregate materials.
7. The creation of the proposed access track would be classed as an engineering operation under Section 336 of the Town and Country Planning Act 1990. Paragraph 146 b) of the Framework states that engineering operations are not inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
8. Additionally, the creation of the proposed overspill car park would in this case, be classed as a material change of use of land from agricultural use to a car park. Similarly, paragraph 146 e) of the Framework states that material changes in the use of land are not inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
9. The proposal would be located within an open agricultural field where there is currently no development. In simple spatial terms, this would have a clear and demonstrable effect on the openness of the Green Belt by introducing development to land which is presently permanently open. The construction of an access track and overspill car park on the appeal site would therefore bring about development where there is presently none. Accordingly, the proposal would also represent a clear encroachment of development into the countryside.
10. Furthermore, given the open nature of both the appeal site and the agricultural land beyond it, there is a clear link between their respective senses of 'openness' which when assessed as a whole would be significantly harmed by the introduction of the proposal. The proposal would therefore have a discernible adverse visual impact on the openness of the Green Belt.
11. I acknowledge that the car park would not be full all the time. However, given its location, the car park itself and the vehicles using it would have a clear visual impact leading to a loss of openness, nonetheless. For similar reasons, the access track and the vehicles using it would also have a comparable visual impact.
12. Consequently, I find that the proposal would not preserve the openness of the Green Belt or safeguard the countryside from encroachment. The proposed development would therefore fall outside the exceptions set out in paragraph 146 of the Framework and should be considered inappropriate development in the Green Belt. The proposal would therefore conflict with policy GB1 which aims to ensure that development proposals are not inappropriate in the Green Belt.

*Character and Appearance*

13. Given the size and location of the proposal, it would be clearly visible within the landscape thereby having a noticeable visual impact. It would also be located

within an open agricultural field where there is currently no development. In addition, it would be plainly visible from Spicer House Lane by persons travelling in both directions. As a result, the proposal would have an evident visual impact on the more open rural character of this landscape.

14. I acknowledge that the materials to be used for the surfacing of the access track and car park would be natural stone aggregate and that no external lights or urban features are proposed. However, this does not mean that the proposal would not be visually noticeable in the landscape at all.
15. Consequently, the proposal would be visually incompatible with the more open and agricultural landscape within which it would be situated. Therefore, it would not fit in with the character and appearance of the more open countryside it would be encroaching into. I therefore conclude that the proposed development would materially harm the character and appearance of the area thereby failing to meet the requirements of policy GB1 of the BLP.

#### *Other considerations*

16. I note that the Council has recently granted a licence for Spicer House to perform marriage and civil partnership ceremonies. However, according to the Council's officer report, Spicer House is still classed as a C3 use dwelling. I also have no evidence before me to show how often weddings and other functions are held at Spicer House. Consequently, I afford this consideration little weight.
17. I also note the appellant's point that while the current car parking capacity is adequate for family gatherings of approximately 40 people it is not sufficient for approximately 200 guests arriving in private cars as it is also shared with delivery and catering vehicles. However, no substantive evidence has been submitted to show that this would be the case. Moreover, it is unlikely that all the guests attending a wedding or conference would only travel there by private car without considering hiring a bus if they were part of a large group. Consequently, I also afford this consideration little weight.

#### **Planning balance and conclusion**

18. The proposed development would not preserve the openness of the Green Belt. As such, it would result in inappropriate development in the Green Belt. The proposal would also cause additional harm to the character and appearance of the area.
19. The development would therefore be harmful to the Green Belt. Paragraph 144 of the Framework makes it clear that substantial weight should be given to any harm to the Green Belt. It establishes that the very special circumstances needed to justify inappropriate development will not exist unless the harm is clearly outweighed by other considerations.
20. I have given limited weight to the other considerations cited in favour of the development. In my view, these would not clearly outweigh the substantial harm to the Green Belt or the harm to the character and appearance of the area. The very special circumstances necessary to justify the development do not therefore exist. Accordingly, there would be conflict with policy GB1 and Paragraph 143 of the Framework. For these reasons, and having regard to all relevant matters, I conclude that the appeal should be dismissed.

*C Coyne*

INSPECTOR



## Appeal Decision

Site visit made on 5 April 2019

**by Tobias Gethin BA (Hons), MSc, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 6 June 2019**

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**Appeal Ref: APP/C3620/W/19/3219760**

**The Grange Centre, Rectory Lane, Bookham KT23 4DZ**

- 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 Cotton, The Grange Centre against the decision of Mole Valley District Council.
  - The application Ref MO/2017/1322/PLA, dated 31 July 2017, was refused by notice dated 3 August 2018.
  - The development proposed is for the creation of 43 car parking spaces in 4 separate locations around the site.
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### Decision

1. The appeal is allowed and planning permission is granted for the creation of 43 car parking spaces in 4 separate locations around the site at The Grange Centre, Rectory Lane, Bookham KT23 4DZ in accordance with the terms of the application, Ref MO/2018/1322/PLA, dated 31 July 2017, subject to the conditions set out in the schedule to this decision notice.

### Procedural Matter

2. The National Planning Policy Framework (the Framework) was revised in 2019. However, as the Framework's policies that are most relevant to this appeal have not materially changed, no parties will have been prejudiced by my having regard to the latest version in reaching my decision.
3. The Council's reason for refusal relates to car park area 4 only. However, I have determined the appeal proposal as a whole, as the Council did with the application.

### Main Issues

4. The main issues are:
  - Whether the proposal would be inappropriate development in the Green Belt;
  - The effect on openness of the Green Belt; and
  - If the proposal is inappropriate development, whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

### Reasons

#### *Inappropriate development*

5. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It states that

inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Subject to exceptions set out in paragraphs 145 and 146 of the Framework, the construction of new buildings and other development should be regarded as inappropriate in the Green Belt.

6. The development involves the provision of four new hard-surfaced car parking areas within the appeal site. Three of these areas, known as car park areas 1, 2 and 3, would be situated in close proximity to buildings on the site, and adjacent to existing hard-surface driveways. They would also either contain or be adjacent to fixed-surface infrastructure including a bin store, a sub-station and a hard-surfaced parking area. The other proposed hard-surfaced area, car park area 4, would be located adjacent to an existing hard-surfaced driveway and parking area. However, it would be situated further away from the site's existing complex of buildings and separated from it by boundary treatment such as a large hedge.
7. The Council indicate that car park areas 1-3 would be on previously developed land. However, due to the situation of car park area 4, the Council determined that it would not be located on previously developed land and the change to a hard-surfaced parking area in this part of the site would constitute inappropriate development.
8. From the evidence before me and my site visit observations, I concur with this. The appeal proposal, which is for all four proposed parking areas, would not meet any of the other exceptions in paragraphs 145 and 146 of the Framework. Accordingly, it would constitute inappropriate development in the Green Belt.

#### *Openness*

9. Car park areas 1-3 would be of limited size. They would be sited relatively close to buildings. They would be on land that contains or is adjacent to fixed-surface infrastructure and hard-surfaced areas used for vehicular access or parking. They would also be reasonably well screened by existing landscaping and would not be particularly visible from the public realm due to topography and their location. The parking of cars on these areas would decrease openness to some extent. However, given the limited size of the parking areas and their position near to existing buildings and landscaping, the effect would be limited. On this basis, I am satisfied that they would not have a greater impact on the openness of the Green Belt than the existing development.
10. With land rising from the highway, the site's topography would serve to limit views of car park area 4 from the public realm. However, it would be more visible than the other proposed parking areas due to its open nature, the limited soft landscaping in the vicinity and the post-and-rail fence running along the highway which provides no screening. It would also be situated further away from the site's buildings and extend further away from existing hard-surfaced driveways than the other proposed car park areas. Consequently, car park area 4 would affect openness.
11. However, the extent of the effect would be limited. This is because proposed boundary treatment, including the planting of a hedge along the highway, would provide considerable screening of the parking area from the public realm and would not appear out of keeping with the surrounding area. I have no evidence that such soft landscaping would of itself require planning permission. It could therefore be planted in any event. The effect of the proposed hedge on openness is therefore not determinative to my decision.
12. Furthermore, the land where car park 4 would be located – currently an open area laid to grass and described as a field by neighbours and the main parties – is

already used as an informal parking area by visitors and users of the site. The Council indicate that use of the field's grass surface for car parking in connection with the Centre does not require planning permission, and on my site visit I observed an existing dropped kerb enabling vehicles to enter the field from the driveway. The evidence before me also indicates that the informal parking covers a larger area than car park area 4 would occupy. Proposed hard surfacing of car park area 4 and its use for car parking would therefore have only a limited effect on openness compared to the existing situation, which allows for unrestricted parking across the entire field.

13. The development would harm openness of the Green Belt. However, for the reasons above, the harm would only arise from car park area 4, and the harm arising from it would be limited.

*Other considerations*

14. The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It states 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, is clearly outweighed by other considerations.
15. The Grange provides services for vulnerable people with learning difficulties, and amongst other aspects, offers housing, care and support, and skills and activities for the people it supports. Approximately 120 staff are based at the site and there are 110 volunteers. Some small business ventures, which bring in customers as well as provide employment skills and a source of revenue for the centre, also currently operate at the site.
16. Although the centre encourages staff and visitors to make green travel choices, including car sharing, the appellant indicates that the staff shift system, which includes early and late working times, limits opportunities for green travel choices. The site's location limits opportunities to use public transport to get to and from the site, with Bookham station approximately 20 minutes' walk away and bus services said to be relatively limited and only operating during the day. To serve the people it supports, there is also a need for frequent visits from external healthcare service providers and carers. Furthermore, the appellant refers to safety and security concerns, with care and support staff at the centre being primarily female. On this basis, I acknowledge that there is likely to be a significant reliance and need for employees and visitors to travel by car.
17. The evidence before me indicates that the centre's existing daily activity gives rise to a significant need for car parking at the site. My site visit observations support this, with the centre's existing parking spaces being well used. I give this need significant weight, particularly in relation to the safety and security considerations and the need for the centre to carry on its existing functions and activities which are not limited to normal working hours when public transport is more likely to be available.
18. Based on the centre's existing activities, the main parties agree that there is a shortfall of 42 parking spaces on the site. The proposal would resolve this, providing one additional space beyond Surrey County Council's parking standards, which indicate that the centre should have 100 spaces. By spreading the parking spaces around the site, the appellant asserts that the effect of the proposal would be lessened, including in relation to openness of the Green Belt, the historic environment and the living conditions of neighbours. From the evidence before me

and my site visit observations, I am satisfied that alternative locations referred to by neighbours would not necessarily prove to be any less harmful overall. In this respect, Council Officers state that were car park area 4 to be rejected, there would also be pressure to locate parking spaces elsewhere within the site that could detract from the setting of the main building and be harmful to the Little Bookham Conservation Area, which the site is within. I give this significant weight.

19. The main parties indicate that the shortfall in parking spaces for the centre's existing activities is having a harmful effect on the site and its surroundings. Amongst other aspects, this includes damage caused by vehicles parking on grass verges and the effect on neighbours of uncontrolled vehicle parking in the grass field. The appellant also sets out that the shortfall in parking creates confusion and safety concerns among the people living on site, contrary to the Care Quality Commission's requirements that people feel in the care of service providers safe at all times. I give these aspects significant weight.
20. The existing situation involves informal parking in the grass field in the south-eastern part of the site close to the dwelling known as Kingsway. The evidence before me indicates that parking has taken place across the field and that parking on the field's grass surface is not unlawful. Such parking clearly affects openness across a relatively large area, and I understand has been taking place on more than an ad-hoc basis. The proposal would create formalised parking spaces, car park area 4, in the western end of the field only. This would reduce the spatial extent of parking in this part of the site, leaving the remainder of the field open and offsetting considerably the development's effect on openness and an improvement on the existing situation. The effect on neighbours' living conditions would also be reduced given car park area 4 would be separated from the shared boundary, whereas the existing situation does not preclude vehicles parking anywhere in the field, including very close to Kingsway and its garden. I give this significant weight.
21. I acknowledge neighbours' concerns about the effect on them from parking in the grass field area in the south-eastern part of the site, which is close to and visible from adjoining properties. However, the development would regularise the existing situation, reducing the extent of parking in the field compared to the existing informal parking activity which occurs across the field and has involved vehicles parked close to and along the site's boundary with Kingsway. A gap between parked vehicles and the boundary with Kingsway would also be provided, and any lighting necessary for the car parking areas could be controlled by a condition. Furthermore, the proposed hedge near to the highway could be planted irrespective of the appeal proposal. Consequently, I am satisfied that the development would not harm the living conditions of adjoining occupiers, including in relation to privacy, fumes and pollution, noise, safety, outlook and views. Moreover, it seems to me that the effects on neighbours would be lessened compared to the existing situation.
22. I recognise concerns about increased parking on the site potentially facilitating further expansion of the centre. However, the development would provide parking sufficient to serve the site's existing activities, and the Council and highway authority do not dispute that the additional parking proposed is necessary to meet the centre's existing demand. The appellant also indicates that the development is not intended to support the centre's expansion or an increase beyond their existing parking need.
23. I acknowledge that the centre has expanded over the years, already involves a number of buildings and structures, including external lighting and hard-surfaces, and has received a number of recent planning permissions for various

developments. Neighbours have also raised concerns about whether the existing level of on-site parking is permitted. However, these are not matters before me, while the Council has not indicated that they consider the existing situation at the site is unlawful. Conditions can also ensure that parking spaces are limited to those existing and proposed, and that the proposed parking spaces are used by the centre and visitors to it.

24. Neighbours have also raised concerns about the quality of hedgerows on the site, property values and the need for risk assessments. However, I have limited my consideration of the appeal to planning matters. Notwithstanding this, maintenance of additional landscaping could be covered by a condition, while provision of hard-standing for car park area 4 would avoid vehicles damaging the grass field.
25. Questions have been raised about the accuracy of the submitted drawings. However, from the evidence before me, I am satisfied that the information is sufficient, including in relation to the net increase in on-site parking spaces.
26. The Council has not alleged that the development would harm wildlife, the character or appearance of the surrounding area or designated heritage assets, including the character or appearance of the Little Bookham Conservation Area. Having considered the development, visited the site, and on the basis that external materials and landscaping details are secured by condition, I concur with this. Accordingly, it is my view that the development would preserve the character and appearance of the heritage asset.

### **Conditions**

27. I have had regard to the various planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance (PPG)<sup>1</sup>. I have made such amendments as necessary to comply with those documents and to ensure that details are submitted to and considered by the Council where relevant.
28. I have imposed a condition requiring that the development is carried out in accordance with the approved plans in the interests of certainty. Conditions covering details of the hard-surface materials, soft landscaping and the replacement bin enclosure are required in order to maintain the character and appearance of the area and in the interests of the historic environment. However, I am satisfied that these do not need to be a pre-commencement conditions because site clearance could be carried out without hindering any of the reasons for the conditions.
29. A condition limiting parking in the field in the south-east of the site to car park area 4 only is necessary to preserve openness and in the interests of neighbours' living conditions. Conditions relating to the number and use of the on-site parking spaces are also necessary in order to avoid additional harm arising from further unplanned parking and to ensure that the parking is used by the centre and not for any other purpose. A condition securing details of proposed lighting is required for users' safety and the living conditions of neighbours.
30. Conditions covering visibility and layout are required in order to maintain highway safety. However, from the information before me and on the basis that I have little evidence that additional details are required in relation to these aspects, I have amended the Council's proposed conditions so as to not require additional details to be submitted and approved.

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<sup>1</sup> Framework paragraphs 55-56; PPG Reference ID: 21a-003-20140306, revision date: 06 03 2014.

## **Conclusion**

31. I have determined the appeal on the basis of the information before me and have found that it would be inappropriate development and would reduce openness. The Framework establishes that substantial weight should be given to any harm to the Green Belt by reason of inappropriateness. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that all development must preserve the openness of the Green Belt.
32. There would be a harmful impact on openness. This carries substantial weight, even though the harm to openness would be limited. However, I have found that the other considerations carry significant weight. Taken together, these other considerations clearly outweigh the totality of the harm, which is the test they have to meet, and amount to very special circumstances. Therefore, the development's harm by reason of its inappropriateness and effect on openness is outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development within the Green Belt.
33. For the above reasons and given the wording of Policy CS1 of the Mole Valley Local Development Framework Core Strategy, which sets out the Council's spatial strategy for new development, I find that the proposal would not conflict with this policy. The proposal would also not be inconsistent with the Framework because the development's harm to the Green Belt is clearly outweighed by other considerations which constitute very special circumstances.
34. The appeal is therefore allowed.

*Tobias Gethin*

INSPECTOR

## **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Block Plan; Car park area 1; Car park area 2; Car Park Area 3; Car Park Area 4.
- 3) With the exception of site clearance, no works shall commence until details of the materials to be used for the surfaces of the car parks hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.
- 4) With the exception of site clearance, no works shall commence until details of a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the planting of trees, shrubs, herbaceous plants, and areas to be grassed. The landscaping shall be carried out in the first planting season after commencement of the development unless agreed otherwise in writing by the Local Planning Authority, and shall be maintained for a period of 5 years. Such maintenance shall include the replacement of any trees and shrubs that die.

- 5) Prior to its installation, details of the replacement bin enclosure opposite Car park area 1 shall be submitted to and approved in writing by the Local Planning Authority. The replacement bin enclosure shall be provided in accordance with the approved details and thereafter retained.
- 6) The area for parking on the field in the south-east of the site shall be limited to only that identified as Car Park Area 4 on the approved plans.
- 7) The visibility zones shown on the Block Plan shall be provided prior to first use of the parking areas hereby approved and shall be retained thereafter and kept permanently clear of any obstruction over 1.05 metres high.
- 8) The parking areas hereby approved shall be laid out within the site in accordance with the approved plans and thereafter retained.
- 9) The on-site parking total shall be capped at no more than 101 parking spaces and the additional 43 spaces hereby approved shall be retained and maintained for use by The Grange Centre and visitors to the site.
- 10) Prior to first use of the parking areas hereby permitted, a survey of lighting in the parking and road way areas within the site shall be carried out and details of a suitable lighting scheme related to the parking areas hereby approved submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light GN01-2011 and a suitably qualified member of the institute of lighting professionals (ILP) shall validate that the lighting scheme conforms to the recommendations for environmental zone E3 in the ILP document 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'. Prior to first use of the parking areas hereby permitted, the lighting scheme shall be installed in accordance with the approved details and thereafter retained.

**END OF SCHEDULE**