

AREA PLANNING COMMITTEE
UPDATE SHEET

Correspondence received and matters arising following preparation of the agenda

Item

WA/2023/00789
TOUCHWOOD
PETWORTH ROAD
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GU8 5QW

Update to the report

Officers note comments preceding this Committee by Councillor Gale regarding the Green Belt. The dwelling itself is Rural Settlement of Witley whilst the post and rail fence and alterations to driveway will be slightly outside this boundary within the Green Belt.

Below is an update to the report to reflect the fact that the development does sit within the Green Belt.

Amendments to the report

Impact on the Green Belt

The site is located within the Green Belt outside any defined settlement area. Policy RE2 of the Local Plan (Part 1) 2018 outlines that the Green Belt will continue to be protected from inappropriate development. Inappropriate development will not be permitted unless very special circumstances can be demonstrated.

Certain forms of development are considered to be appropriate, and will be permitted provided they do not conflict with the exceptions listed in paragraphs 149 and 150 of the NPPF.

Local planning authorities are required to give substantial weight to any harm which might be caused to the Green Belt by the inappropriate development. Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- 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 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.

Paragraph 150 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) Mineral extraction;
- b) Engineering operations;
- c) Local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) The re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) Material changes in the use of land (such changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) Development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The proposed driveway alterations would fall under Paragraph 150 (b) for engineering operations, and would represent appropriate Green Belt development.

However, the erection of fencing is not covered within the exemptions and is considered to be inappropriate development within the Green Belt. Very Special Circumstances are required to outweigh harm to the Green Belt, and any other harm. These will be discussed later in this report.

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.

The proposed fencing comprises post and rail which allows views through and has very little visual mass, and therefore very limited impact on openness. Furthermore, the fencing is seen within the wider backdrop of dwellings within the rural settlement boundary. The proposals do also provide some additional safety and security benefits for the applicant and represents a reasonable requirement for a private dwelling.

Lastly, very similar walls and fences can be erected by the applicant up to a height of 1m under Schedule 2, Part 2, Class A Permitted Development Legislation. Such structures would not have to be open in construction and would have a far greater impact on openness.

For these reasons, officers consider that very special circumstances are present to clearly outweigh harm to the Green Belt, and any other harm.