

Appeal Decision

Site visit made on 17 October 2016

by M Brookes BA MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 October 2016

Appeal Ref: APP/Y3615/D/16/3154817

34 Tangley Lane, Guildford, Surrey, GU3 3JU

- 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 James Quantrel against the decision of Guildford Borough Council.
 - The application, Ref. 16/P/00939, dated 10 May 2016, was refused by notice dated 1 July 2016.
 - The development proposed comprises single and two-storey side extensions following removal of a garage and outbuildings.
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Decision

1. The appeal is allowed and planning permission is granted for single and two-storey side extensions following removal of a garage and outbuildings at 34 Tangley Lane, Guildford, Surrey, GU3 3JU in accordance with the application Ref. 16/P/00939, dated 10 May 2016 subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: TangleyHPPV2-01, TangleyHPPV2-02, TangleyHPP-03 and TangleyHPP-07.
 3. The materials to be used in the construction of the external surfaces of the roof of the extensions hereby permitted shall match those used in the existing building.

Procedural Matter

2. The 'description of proposed works' in the application includes a lengthy description of the site and comments about the merits of the proposal rather than being limited to a factual description of what is proposed. In the interests of conciseness, clarity and objectivity I have therefore adopted the Council's description of the proposed development as set out in its decision notice. However, in determining this appeal I have taken account of all of the points made in the application.

Main Issue

3. The main issue is whether the proposal would be inappropriate development in the Green Belt.
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Reasons

4. The National Planning Policy Framework (the Framework) sets out various forms of development that are not inappropriate in the Green Belt. These include the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building.
5. The limited extension of existing dwellings in the Green Belt is also allowed in saved Policies RE2 and H9 of the Guildford Borough Local Plan 2003 (Local Plan) subject to certain provisos. There is also a presumption in Policy H9 against extensions to dwellings within the Green Belt and outside identified settlements which result in disproportionate additions taking into account the size of the original dwelling.
6. There is no definition of disproportionate in the Framework or in the Local Plan, which indicates (paragraph 5.39) that it is not desirable to state categorically what maximum size of extension outside settlements is permissible given the wide range of circumstances to which the policy applies.
7. The Council calculates that, having regard to previous extensions, the proposal would result in about a 51% increase in the floorspace of the original dwelling. The Council submits that this increase, which is not disputed by the appellant, is above what is normally considered acceptable within the Borough and constitutes disproportionate additions.
8. I accept that the additions would quite substantial, but most of the additional floorspace would be in the proposed two-storey extension which would be narrower, lower and less deep than the main body of the original dwelling. The additions overall would also be clearly subordinate to the main original dwelling. Furthermore, the property lies within a long row of semi-detached houses of similar original size and design in Gravetts Lane and Tangle Lane, very many of which, including the attached property at 33 Tangle Lane, have additions of comparable or greater size.
9. Having regard to these characteristics of the extensions and of the surrounding area, the additions to the original dwelling would not appear unduly large.
10. The Local Plan allows for flexibility to reflect a range of circumstances and I consider that this is a case where the particular circumstances should allow for additions above what the Council normally considers to be acceptable.
11. I conclude on balance that the proposal would not result in disproportionate additions over and above the size of the original building. It would not therefore be inappropriate development in the Green Belt or conflict in this respect with the Framework or Local Plan Policies RE2 or H9.
12. In reaching that conclusion I have had regard to the extensions previously proposed on the appeal site, for which planning permission was refused and a subsequent appeal (ref. APP/Y3615/D/16/3149699) dismissed. However, that involved materially greater additions.

Other Matters

13. The Council considers that the proposal would be harmful to the openness of the Green Belt, but that is not a test to be applied to extensions that are not inappropriate development.

14. The Council has raised no objections to the effect of the extensions on the character or appearance of the existing building or surrounding area and I consider that they would be beneficial in restoring some symmetry to the semi-detached pair of dwellings by balancing the two-storey extension at 33 Tangle Lane. The replacement of the applied stone cladding by render and the removal of the substandard garage and outbuilding would also improve the appearance of the property and the area generally.

Conditions

15. The Council has not suggested a need for any conditions. However, I consider that in addition to the statutory commencement condition, a condition requiring compliance with the approved plans is necessary to provide certainty. A condition requiring the external roof materials to match those on the existing building is also necessary to safeguard the character and appearance of the area.

Conclusion

16. For the reasons set out above and having regard to all other matters raised, the appeal is allowed.

M Brookes

INSPECTOR