

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/16/3154932

Oak & Elm Cottage, Brook Lane, Albury, Guildford, Surrey, GU5 9DH

- 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 & Mrs Terence Edwards against the decision of Guildford Borough Council.
 - The application, Ref. 16/P/00713, dated 7 April 2016, was refused by notice dated 3 June 2016.
 - The development proposed is a two storey extension to enlarge kitchen and bedroom, and provide better access via rear entrance.
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Decision

1. The appeal is dismissed.

Main Issues

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

Reasons

Whether inappropriate development

3. 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.
 4. 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 outside identified settlements within the Green Belt which result in disproportionate additions taking into account the size of the original dwelling.
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5. Paragraph 5.39 of the Local Plan states that small extensions, even where there have been a number of previous extensions to the original dwelling, will not necessarily be refused. It also states that the principal consideration will be the potential impact of the extension itself on the openness of the Green Belt and the visual amenities of the Green Belt in terms of its size, scale, design, materials and character.
6. However, the fundamental test of inappropriateness in the Framework and the presumption in the Local Plan relate to whether the extension would result in disproportionate additions over and above the size of the original building. The potential impact on openness and the visual amenities of the Green Belt are matters to be considered separately.
7. Paragraph 5.39 also indicates 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.
8. However, the Council's submission is that, having regard to previous extensions and outbuildings, which are treated as extensions for the purposes of Policy H9, the proposed extension would result in approximately a 91% increase in the floorspace of the original dwelling. In the absence of any conflicting evidence, I have no reason to doubt this figure, which would clearly represent disproportionate additions over and above the size of the original building.
9. The development would therefore be inappropriate development which is, by definition, harmful to the Green Belt. Such development, which would conflict with Local Plan Policies RE2 and H9, should not be approved except in very special circumstances.

Openness of the Green Belt

10. The Framework identifies openness as an essential characteristic of Green Belts. The extension would increase the amount of built development on the site and would therefore cause some reduction in the openness of the Green Belt. However, the extension itself would not be large and the loss of openness and consequential harm would be very limited.

Other considerations

11. I share the Council's view that the extension would not be harmful to the character or appearance of the existing building or wider area, but the absence of such harm does not represent a benefit. I also accept that the proposal would enhance the accommodation in various ways but am not satisfied that it is essential to enable the appellants or future occupiers to live in and enjoy the property.
12. Overall I do not find there to be benefits or other considerations that clearly outweigh the harm to the Green Belt. Very special circumstances to justify the development do not therefore exist.

Conclusion

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

M Brookes INSPECTOR