

Appeal Decision

Site visit made on 18 October 2016

By Lynne Evans BA MA MRTPI MRICS

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

Decision date: 25 October 2016

Appeal Ref: APP/R3650/D/16/3155132

Twin Oaks, Stroud Lane, Shamley Lane, Guildford GU5 0ST

- 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 Robert Frost against the decision of Waverley Borough Council.
 - The application Ref: WA/2016/0910 dated 25 April 2016, was refused by notice dated 5 July 2016.
 - The development proposed is 1) Remodelling and enhancement of the front entrance canopy to a oak framed canopy with oak columns. 2) Demolition of the existing garage; the addition of a large side extension on ground and first floor level. The roof will pitch in a similar front to back fashion as per the existing. There will be a small annex area to the side of the extension to mirror the existing annex and bring symmetry and balance to the front and rear facades. The materials will be new render and hung tiles to match the existing, with the roof and dormer in new clay tiles. 3) A single storey side extension addition to the existing utility room, the materials will be new render and new clay tiles to match existing. 4) A single storey glazed rear extension addition. This extension will be constructed in exposed timber framework (oak) with a flat roof. The rear extension is 2.5 m in length. 5) The existing windows will be removed and replaced with timber framed casements. 6) The existing roof will be re-tiled with Rosemary clay tiles (existing concrete tiles will be removed). The timber clad dormers will be reclad with hung tiles.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - a) Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
 - b) Its effect on the openness of the Green Belt and any other harm, with particular regard to the Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value,
 - c) Other considerations; and

- d) Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Issue a) Inappropriate development

3. The appeal property is a detached property on the east side of Stroud Lane, which is characterised by isolated and small groupings of individually designed detached properties set on a range of plot sizes, sited amongst open fields and woodland. The appeal site and local area are within the Green Belt, the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV).
4. The National Planning Policy Framework (Framework) sets out the government's planning policies to secure sustainable development. One of its core planning principles at Paragraph 17, as amplified later in the Framework, includes *protecting the Green Belts*. Paragraph 87 confirms that *inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances*. Paragraph 89 sets out that the construction of new buildings is inappropriate except for a limited number of exceptions including the extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building. The Framework does not define further the term 'disproportionate'.
5. The Council's refusal notice also refers to Policies C1 and RD2 of the adopted Waverley Borough Local Plan 2002 (Local Plan). I have noted the date of the Local Plan but in so far as the policies are consistent with the Framework, I have taken them into account. Policy C1 refers to a general presumption against inappropriate development within the Green Belt and in respect of residential extensions, cross refers to Policy RD2. Policy RD2 relates to extensions to dwellings within the countryside including within the Green Belt and sets out a criteria based approach, including that extensions will be permitted which do not result in disproportionate additions over and above the size of the original dwelling. The supporting text sets out guidance on how the Council will consider this matter and indicates that a proposal which individually or cumulatively increases the floorspace of the original dwelling (defined as it existed on 31 December 1968, when the Policy was first introduced) by more than 40% will be unlikely to satisfy the requirement relating to disproportionate additions.
6. The Council's assessment indicates that the proposed extensions taken together with previous extensions would cumulatively add more than 210 sqm to the original floorspace, which it has calculated to be approximately 135 sqm. The Appellant's calculations are not directly comparable and appear to compare both the ratio of built area to the overall site area and also to compare the proposed with the existing situation, rather than with the original building, which is the basis of the relevant consideration for the purposes of the Framework and the development plan. In addition to the absolute increase in floorspace and scale of development, the proposal would, in my view, add significantly to the bulk and massing of built development, particularly with the very large side

extension in place of the detached garage, resulting in a more visually dominant building.

7. Taking all these matters together, I have no doubt that the proposed extension would be a disproportionate addition over and above the size of the original dwelling and so would be inappropriate development for the purposes of the Framework as well as Policies C1 and RD2 of the Local Plan.

Issue b) Openness and any other Harm

8. Inappropriate development is, by definition, harmful to the Green Belt, as set out within the Framework, and in accordance with that guidance, I therefore attach substantial weight to this harm. I have also considered whether there is any other harm.
9. The addition of further built development on the site, with the consequent increase in the overall bulk and massing of the property, would inevitably lead to some reduction in openness, which is the essential attribute of the Green Belt. This harm to openness would therefore add to the harm I have already concluded.
10. I also share the Council's concerns that the increased bulk and massing, particularly from the very large side extension to replace the existing smaller and detached garage would result in a more visually imposing and intrusive building that would be over dominant in the local context. I therefore conclude that it would not conserve the landscape and scenic beauty of the AONB and would not contribute to and enhance the local environment by protecting and enhancing the distinctive landscape of the AGLV. It would therefore conflict with the Framework and Policy C3 of the Local Plan, all of which seek to protect valued landscapes.

Issue c) Other Considerations

11. I have sympathy with the family related reasons for seeking the extensions and alterations to the existing property. However, the impact of the proposal on the Green Belt would remain long after the personal circumstances referred to have ceased to be material. I can therefore only give limited weight to this argument in support of the proposal.
12. I agree that the design of the extension and alterations and the proposed materials to be used across the extension as well as the existing property would be of high quality but this adds only modest weight in favour of the proposals.
13. The absence of harm to interests of ecological importance and the retention of existing trees is welcomed but does not in my view add weight in favour of the proposals.
14. I have taken into account the suggested conditions proposed by the Appellant which I agree would be appropriate to impose in the event of planning permission being granted. However, the offer of such conditions does not add weight in favour of the scheme proposals.
15. I have noted the letter of support from a neighbour, subject to requesting conditions regarding the protection of existing planting. Although I have noted that there were no objections from neighbours, the proposals did receive an

objection from the Parish Council. I do not therefore consider that any weight in favour of the proposals results from this matter.

16. The fact that the existing property is smaller than some of the surrounding properties does not, in my view, indicate that the proposals should be permitted. There are a range of house sizes in the vicinity of the appeal property which adds to the character of the local area. Moreover each proposal must be judged on its individual merits. No weight in favour of the proposal is therefore added in this regard.

Issue d) Balancing of Considerations and whether very special circumstances exist.

17. I have already found that substantial weight must be given to the harm to the Green Belt by reason of the inappropriateness of the proposed development. The harm from loss of openness and the harm to the AONB and AGLV adds to the harm by reason of inappropriateness. The totality of the harm I have concluded is clearly not outweighed by the other considerations. I do not find that the very special circumstances required to justify the proposed development exist.

Conclusion

18. For the reasons given above and having regard to all other matters raised including the representations received, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR