
Appeal Decision

Site visit made on 24 January 2017

by Lynne Evans BA MA MRTPI MRICS

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

Decision date: 7 February 2017

Appeal Ref: APP/Y3615/D/16/3164342

33 James Road, Peasmarsh, Guildford GU3 1NF

- 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 Oliver Griffiss against the decision of Guildford Borough Council.
 - The application Ref: 16/P/01809 dated 7 September 2016, was refused by notice dated 2 November 2016.
 - The development proposed is first floor extension to bungalow, removal of kitchen & internal alterations with new open porch.
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Application for Costs

1. An application for costs was made by Mr & Mrs Griffiss against Guildford Borough Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for first floor extension to bungalow, removal of kitchen & internal alterations with new open porch at 33 James Road, Peasmarsh, Guildford, GU3 1NF in accordance with the terms of the application, Ref 16/P/01809 dated 7 September 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: OJ/2016/3223 Location Plan 1:1250; OJ/2016/3223 Site Plan 1:500; OJ/2016/3223 Ground floor plan as existing; OJ/2016/3223 roof plan as existing; OJ/2016/3223 Section A-A as existing; OJ/2016/3223 Front Elevation South West as Existing; OJ/2016/3223 Side Elevation North West as Existing; OJ/2016/3223 Side Elevation South East as Existing; OJ/2016/3223 Rear Elevation North East as Existing; OJ/2016/3223 Ground floor plan as proposed; OJ/2016/3223 First floor plan as proposed; OJ/2016/3223 Roof plan as proposed; OJ/2016/3223 Front Elevation North-West as proposed; OJ/2016/3223 Side Elevation South-
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West as proposed; OJ/2016/3223 Side Elevation North-East as proposed; OJ/2016/3223 Rear Elevation South-East as proposed; OJ/2016/3223 Section A-A as proposed.

- 4) Notwithstanding condition 3, the development hereby permitted shall not be first occupied until the following have been demolished:
- i) kitchen/pantry and store as shown to be removed on Plan OJ/2016/3223 Ground floor plan as proposed; and
 - ii) the existing veranda on the south-west and north-west elevations.

Main Issues

3. 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) The effect on the character and appearance of the existing property and on the local area, with particular regard to its location within an Area of Great Landscape Value (AGLV).

Reasons

Issue a) Whether inappropriate development

4. The appeal property is a detached bungalow on a large plot at the south-eastern end of James Road, which has predominantly semi-detached and terraced two storey dwellings on either side of the road. The property lies outside of an identified settlement within the Green Belt and within an AGLV.
5. 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'.
6. The Council's refusal notice also refers to Policies RE2 and H9 of the adopted Guildford Borough Local Plan 2003 (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 RE2 sets out that new building will be deemed inappropriate except for a specified list, including limited extension, alteration or replacement of existing dwellings and cross refers to Policies H6 and H9. Policy H9 relates to extensions to dwellings within the countryside and sets out a criteria based approach, with an additional part of the policy in relation to buildings within the Green Belt, where there is a presumption against extensions which result in disproportionate additions taking into account the

size of the original dwelling. The supporting text sets out guidance on how the Council will consider this matter and indicates that original building means the dwelling as existing on 1 July 1948 (or as first built, if after that date).

7. The text indicates that it is not considered appropriate to seek to define a maximum size for extensions but that the principal consideration will be the potential impact of the extension on the openness of the Green Belt and its visual amenities. I agree that it is for each decision to be determined on its merits, having regard to the aims and objectives of the Green Belt, and therefore, in particular the objective to maintain openness.
8. There is disagreement between the Appellant and the Council over the detailed calculations to consider the proposed increase in the size of the property as a result of the proposed works, compared with the original size of the property. However, the result of both calculations is in fact very similar with the Appellant suggesting a 67.54% increase whilst the Council indicates a marginally smaller increase at 65.6% increase. It is my view that in addition to the arithmetic calculations, an assessment of the form and scale and massing of the proposal and impact on openness needs to be considered as part of the assessment.
9. The footprint of the building would not be significantly changed as a result of the proposed works. The proposed open sided porch would be very modest in scale and furthermore the removal of existing built elements and structures, including the kitchen/ pantry, store and covered veranda to the front and side would reduce the extent of site coverage with built form.
10. I acknowledge that both the eaves and the ridge height would be increased across the building, with additional bulk introduced. However, the positioning of the dormers windows at first floor level set within the roof line on the south east and north west elevations would help to lessen the scale and massing of the proposed roof form. In my view, the change in the roof form would not result in a significant increase in the massing of built development within the appeal site.
11. Taking all assessments into account, I do not consider that the proposals would appear as a disproportionate addition over and above the size of the 'original' building and the proposals would not, in my view, harm the openness of the Green Belt. I note that the Council has also concluded that the openness of the Green Belt would not be materially harmed.
12. In the particular circumstances of this case, it is my conclusion that the proposed development would not be inappropriate development for the purposes of the Framework and development plan policy. There is therefore no need for the development to be justified by special circumstances.

Issue b) Character and Appearance

13. The proposed development would be appropriately designed, in my view, to relate well to the existing scale and form of the existing property, albeit recognising that there would inevitably be an increase in bulk and massing as a result of the introduction of first floor accommodation. The proposed development would not materially affect the relationship and setting of the existing property within its plot. I do not therefore find that it would have an unacceptable effect on the scale and character of the existing dwelling.

14. The proposal would not materially alter the existing relationship with the surrounding development; it would remain a modest detached and individual property at the end of a road of predominantly two storey built form. I agree with the Council that the property as proposed to be extended and altered would not be unduly prominent or detract from the surrounding townscape and distinctive valued landscape, with particular regard to its siting within an AGLV.
15. I am therefore satisfied that the proposed development would not have an unacceptable effect on the character and appearance of the existing property and on the local area, including with regard to its location within an AGLV. There would be no conflict with Policies H9 and G5 of the Local Plan as well as the Framework, all of which seek for new development to respect the local context and local distinctiveness, including valued landscapes.

Conditions

16. I agree with the Council that in the interests of protecting the appearance and character of the local area, a condition should be imposed to require the materials for the proposed development to match the existing building. I have also added a condition to specify the approved plans for the avoidance of doubt and in the interests of proper planning. Given the Green Belt location and the objective to maintain openness, I have included a further condition to require the demolition of those elements of the existing built form which are shown to be removed, prior to occupation of the extension hereby permitted.

Conclusion

17. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be allowed.

L J Evans

INSPECTOR