
Appeal Decision

Site visit made on 24 January 2017

by Y Wright BSc (Hons) DipTP MSc DMS MRTPI

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

Decision date: 8 February 2017

Appeal A Ref: APP/Y3615/D/16/3164254

Dilton Farm, Ponds Lane, Albury GU5 9JN

- 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 Allen against the decision of Guildford Borough Council.
 - The application Ref 16/P/01767, dated 25 August 2016, was refused by notice dated 31 October 2016.
 - The development proposed is erection of a detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a detached garage at Dilton Farm, Ponds Lane, Albury GU5 9JN in accordance with the terms of the application, Ref 16/P/01767, dated 25 August 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: Drawing No. 1612_31, 1612_40 and 1612_41.
 - 3) 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.

Main Issue

2. As the appeal site is within the Metropolitan Green Belt, the main issue is whether the proposal is inappropriate development for the purposes of the National Planning Policy Framework and development plan policy.

Reasons

3. The appeal site is remotely located within open countryside and is accessed via a long single track lane. A barn previously converted for use as a separate dwelling lies to the south of the site adjacent to the boundary. Fields and trees surround the rest of the site providing some views of open countryside. The former dwelling within the appeal site has been demolished and replaced by a new detached house, the construction of which has been completed. Planning permission¹ has been obtained for the erection of a pool house in close proximity to the east of the main dwelling and I saw on my site visit that this is

¹ Council planning application ref: 16/P/00714

currently under construction. The proposed garage would be erected between the dwelling and pool house abutting the northern boundary of the site.

4. Paragraph 89 of the National Planning Policy Framework (the Framework) indicates that except for a small number of exceptions, the construction of new buildings within the Green Belt should be regarded as inappropriate. Exceptions to this include where an extension or alteration to a building does not result in disproportionate additions over and above the size of the original building. It is agreed between the main parties that the proposed garage would be an extension to the main dwelling.
5. Policy RE2 of the Guildford Borough Local Plan (2003) (LP) permits, amongst other things, limited extensions to dwellings within the Green Belt subject to them being in accordance with LP Policy H9. This latter policy sets out criteria for the development of extensions to dwellings in the countryside, but also specifically states that within the Green Belt there is a presumption against extensions to dwellings which result in disproportionate additions taking into account the size of the original dwelling.
6. There is disagreement between the main parties as to what constitutes the original building within the site. The Framework's glossary defines the original building as '*a building that existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally*'. It is accepted by the Council that the former dwelling has been demolished and has now been replaced. As this building clearly no longer exists it is perfectly logical to assess the proposal against the dwelling now present within the site. To my mind it would be intrinsically illogical to assess whether an extension was disproportionate to a building that no longer existed, particularly when its replacement has been deemed by the Council to be perfectly acceptable within the Green Belt. Accordingly for the purposes of determining this appeal I consider that the dwelling present on the site is now the original building and meets the Framework's definition in this regard.
7. The Council suggests that the garage would be a disproportionate addition to the dwelling with an increase in floor area of around 58% when compared to the size of what they consider to be the original dwelling. However this calculation is based on the size of the former dwelling which has now been demolished. As I have already determined that the replacement dwelling is now the original building, I disagree with this assessment.
8. Furthermore I note that the Council's calculation also includes the additional floor area of the pool building. However the pool building was determined by the Council as a replacement outbuilding within the Green Belt and not as an extension to the dwelling. As such the pool building is not an extension to the property and consequently the dwelling has not previously been extended.
9. The Appellant calculates that the proposed garage floor area of around 54sqm would represent an increase of approximately 14.5% of the total floor area of the existing dwelling. The development would also be within fairly close proximity to the rear elevation of the house. Furthermore its height, width, depth and overall mass and volume would be considerably less than that of the main dwelling and it would appear as a subordinate structure in comparison. These factors in combination lead me to the conclusion that the garage would be a relatively modest addition to the dwelling.

10. Consequently I conclude that the development would not result in a disproportionate addition over and above the size of the original building and would therefore not be inappropriate development within the Green Belt. The proposal would comply with the Framework and LP Policies RE2 and H9.
11. I recognise that the garage would extend built form into a part of the site that is currently open. However as I have found that the development would be 'not inappropriate', it follows that it would also not be harmful to the openness of the Green Belt.

Conditions

12. I have considered the conditions suggested by the Council in light of the advice given in the Planning Practice Guidance (PPG). I am satisfied that they meet the tests within the PPG and accordingly I include them within my decision. I attach a condition requiring the development be carried out in accordance with the approved plans to ensure certainty. I also impose a condition requiring that the materials to be used in the construction of the external surfaces of the development match those used in the existing building to ensure a satisfactory appearance.

Conclusion

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

Y. Wright

INSPECTOR