
Appeal Decision

Site visit made on 1 February 2017

by Mike Fox BA (Hons) DipTP MRTPI

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

Decision date: 10th February 2017.

Appeal Ref: APP/Y3615/D/17/3167319

Farm Lane Cottage, Sandy Lane, Guildford, GU3 1HB

- 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 and Mrs P Hutson against the decision of Guildford Borough Council.
 - The application Ref 16/P/01803, dated 22 August 2016, was refused by notice dated 26 October 2016.
 - The development proposed is the demolition of existing garage; single storey extension to the western elevation; two storey extension to the southern elevation; and a new dormer window to the eastern elevation of the existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing garage; single storey extension to the western elevation; two storey extension to the southern elevation; and a new dormer window to the eastern elevation of the existing dwelling at Farm Lane Cottage, Sandy Lane, Guildford, GU3 1HB in accordance with the terms of application Ref 16/P/01803, dated 22 August 2016, and the plans submitted with it, 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 in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, all prefaced 1707_: *Location Plan*; 02 *Block Plan*; 05 *Existing Floor Plans*; 06 *Existing Elevations*; 10 *Proposed Ground and First floor Plan*; 11 *Proposed Roof Plan*; and 12 *Proposed Elevations*.

Procedural matter

2. Neither of the main parties considers that the proposal is unsympathetic or out of keeping with the surrounding St Catherine's Conservation Area. I agree with the parties on this. The proposal would therefore accord with the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and this is therefore not considered to be an issue which I need to address in relation to this appeal.

Main Issue

3. The main issue concerns the relation of the proposed development to the Green Belt, and in particular (a) whether the proposed development by virtue of its cumulative impact, would constitute inappropriate development in the Green Belt; (b) its effect on the openness of the Green Belt and on the character and appearance of the area; and (c) if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special considerations necessary to justify the development.

Reasons

4. Farm Lane Cottage is a brick built detached house with a pitched roof, located on the edge of Guildford, outside the identified settlement area. It is not an isolated dwelling, but forms part of a loose-knit group of detached properties, all set in generous plots. The house is relatively secluded by established peripheral hedgerows and by its siting, below the level of Pilgrims' Way/Sandy Lane, which runs to the south of the property. There is open land to the north of the property, and a footpath also runs along the site's northern boundary.
5. The appeal property is located within the Metropolitan Green Belt, an Area of Outstanding Natural Beauty, an Area of Great Landscape Value and St Catherine's Conservation Area.
6. The proposed extensions would be fully in keeping with the original building; they would be subservient additions and would not be prominent. Bearing in mind these factors and the secluded setting of the appeal site, I consider that the effect on the surrounding area would not be harmful.
7. The Council's main argument on whether the proposed development would constitute inappropriate development in the Green Belt is based on its calculations of a 102% increase from the floorspace of the original building. The Council considers that this cumulative increase is disproportionate and therefore inappropriate and harmful to the Green Belt. From this basis the Council argues that the proposal would harm the openness of the Green Belt, contrary to national policy as expressed in section 9 of *the Framework*¹ and saved policies RE2 and H9 of the Guildford Borough Local Plan.
8. Local Plan policy RE2 states that within the Green Belt, new development will be inappropriate, unless it is for a number of purposes; the only one which applies to the proposal is limited extension, alteration or replacement of existing dwellings. Policy H9 covers extensions to dwellings in the countryside and sets out four criteria to determine whether such development would be acceptable in planning terms. (These criteria can be summarised as: not resulting in the loss of a small dwelling; no unacceptable effect on the scale and character of the dwelling; no unacceptable effect on amenities (living conditions) in terms of privacy and access to sunlight and daylight; and no unacceptable effect on the existing context and character of the adjacent buildings and immediate surroundings.)
9. Policy H9 also states, in addition to the above criteria, that outside the identified settlements and within the Green Belt, there will be a presumption against extensions to dwellings which result in disproportionate additions

¹ DCLG: National Planning Policy Framework (*the Framework*); March 2012.

taking into account the size of the original dwelling. Paragraph 5.39 in the explanatory text makes it clear that: *"It is not considered desirable to state categorically what maximum size of extension outside settlements is permissible given the wide range of circumstances to which the policy applies, other than the general requirement that it should not result in disproportionate additions taking into account the size of the original building"*. The text goes on to state that: *"The principal consideration will be the potential impact of the extension itself on the openness of the Green Belt"* and that: *"Small extensions, even where there have been a number of previous extensions to the original dwelling, will not necessarily be refused"*.

10. The importance of considering context over a mathematical calculation of the increase in the proposed floorspace, as explained in the Local Plan, reflects paragraph 89 [3] of *the Framework*, which refers to *"disproportionate additions"* without referring to a requirement for a specific numerical or proportional figure.
11. It is clear that the proposal easily passes all four of the criteria set out in policy H9, which leaves the one point of issue between the parties as the acceptability of the cumulative increase in the size of the proposed development. I accept that a doubling of the original floorspace is an important consideration, but from my reading of both *the Framework* and the Council's policies, this is not the only consideration. I note agreement between the parties that the proposed extensions would be in keeping with the existing building and that they would be subservient to it. I agree with these assessments and also with the further comments by the Council that the proposal would not be unduly prominent and would not be readily visible from the streetscene.
12. I would also add that I do not consider that the proposed development would affect the openness of the Green Belt. Furthermore, the appeal property is not an isolated house in the Green Belt, but is part of a group of dwellings to the east, north-east, west and south-west, and it is important to view it in this context.
13. Taking all of the above considerations into account, I conclude that the proposal would not constitute inappropriate development in the Green Belt; that it would not adversely affect the openness of the Green Belt or the character and appearance of the area; and that any further balancing of considerations is therefore unnecessary.
14. The Council has not suggested any additional conditions to those which appear in the standard questionnaire, and neither do I. In addition to the standard time condition and the condition referring to the approved plans, condition (2) is to safeguard the character and appearance of the area.
15. I have found that the proposed development would not represent inappropriate development in the Green Belt; that it would not affect the openness of the Green Belt; and that the proposal is acceptable in all other respects. It would therefore accord with the relevant development plan policies and section 9 of *the Framework*. For the reasons given and having regard to all other matters raised, I conclude that the appeal should be allowed.

Mike Fox

INSPECTOR