
Appeal Decision

Site visit made on 23 February 2017

by Megan Thomas Barrister-at-Law

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

Decision date: 7 March 2017

Appeal Ref: APP/Y3615/D/16/3161216

Sunnybank, Dorking Road, Chilworth GU4 8RR

- 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 Richard and Lucy Cawker against the decision of Guildford Borough Council.
 - The application Ref 16/P/01480, dated 11 July 2016, was refused by notice dated 5 September 2016.
 - The development proposed is the erection of a part two storey/part single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part two storey/part single storey side extension at Sunnybank, Dorking Road, Chilworth GU4 8RR in accordance with the terms of the application, Ref 16/P/01480, dated 11 July 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 external surfaces of the extension hereby permitted shall match those used in the main dwelling.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 3044_100, 3044_111, 3044_110 B, 3044_101C & 3044_102.

Main Issues

2. The main issues are
 - whether the proposal constitutes inappropriate development or 'not inappropriate' development in the Green Belt having regard to the National Planning Policy Framework 'NPPF' and development plan policies,
 - its effect of the proposal on the character and appearance of the area
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Reasons

Whether inappropriate development

3. The appeal site is situated in the Green Belt close to the settlement of Albury. It comprises a two storey house with front and rear gardens set back on a raised bank above the road. Access to it by vehicle is at the rear via a private road which serves a couple of other residential properties along the road. The site is in the Surrey Hills Area of Outstanding Natural Beauty 'AONB' and Area of Great Landscape Value 'AGLV'.
4. The house is of simple design with a hipped roof and the front elevation is symmetrical. There is an existing single storey rear extension. A single storey side extension (application ref: 16/P/01417, amended) was approved on 5 September 2016.
5. The proposal comprises a two storey side extension to the west side of the house. It would have a very similar roof ridge height and a hipped roof. It would step back from the front elevation and parts of it would be at a slightly lower level than the main house.
6. The NPPF sets out the national policy approach to development in the Green Belt. It indicates that decision makers should regard the construction of new buildings as inappropriate development in the Green Belt, subject to some exceptions. In general terms, new buildings include construction of part of a structure and also extending a building. One of the exceptions to inappropriateness relates to extending or altering a building provided that it does not result in disproportionate additions over and above the size of the original building.
7. The appellant indicates that the original house had a floor area of about 96 sqm and that the rear extension in 2010 added about 18.9sqm. The current proposal would add about 38sqm. This would amount to a cumulative extension in floor area over and above the original dwelling of about 59%. In this case I do not consider that cumulative addition to be disproportionate to this dwelling. The bulk of the building would increase but the mass of the proposed side extension from the front would appear recessed and in proportion to the symmetrical front. The arrangement of the additional floorspace from the rear would also not appear out of proportion to the original dwelling size. Of relevance also is paragraph 5.39 of the Guildford Borough Local Plan (adopted 2003) 'LP' which indicates that it is not considered desirable in the LP to state categorically what maximum size of extension outside settlements is permissible.
8. I find therefore that the proposed extension taken cumulatively with the existing extension would not be disproportionate over and above the size of the original dwelling. Consequently, the proposal would not constitute inappropriate development in the Green Belt. Furthermore, it would not be in breach of saved policies RE2 or H9 of the LP.
9. Following *R (oao Lee Valley Regional Park Authority) v Epping Forest District Council & Another* [2016] EWCA Civ 404, where development is found to be 'not inappropriate' applying paragraphs 89 or 90 of the NPPF, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land in the Green Belt. I have adopted that approach in this case.

Character and appearance

10. The proposed extension reflects the simple design of the main dwelling and, whilst it would include a two storey element, that element would appear subservient to the main dwelling, with a recessed front building line and a slightly lower roof ridge. Whilst the extension would only leave a very small gap between the western boundary of the appeal site and the neighbouring land, the resulting development would not appear overdeveloped given the overall size of the plot in which the house would stand. There are no serious residential amenity issues given the considerable separation distance to the residential property to the west, Surrey Hills. The proposal would accord with policy H9 of the LP.
11. Furthermore, in relation to the likely visibility of the proposal in the wider landscape, there are a number of mature trees and some hedges that would partially screen the extension. Whilst acknowledging that such vegetation is not permanent, the location of the appeal site elevated above the road reduces the visibility of the house generally and that factor is one which is likely to be permanent. There would be no undue harm to the AONB or AGLV.

Conclusion

12. Having taken into account all relevant representations made, I have concluded that there would be no undue harm arising from the proposal and accordingly I allow the appeal.

Conditions

13. A condition requiring the development to be carried out in accordance with the approved plans is necessary in the interests of certainty. The facing materials used in the extension should match those of the host dwelling in order to preserve character and appearance of the dwelling and the wider area.

Megan Thomas

INSPECTOR