
Appeal Decision

Site visit made on 21 February 2017

by CD Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 20 March 2017

Appeal Ref: APP/Y3615/D/16/3167720

Round Down Farm, Colekitchen Lane, Gomshall GU5 9QB

- 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. Pancham against the decision of Guildford Borough Council.
 - The application Ref 16/P/01838, dated 12 September 2016, was refused by notice dated 4 November 2016.
 - The development proposed is pitched roof to replace existing flat roof areas, new second floor accommodation with dormer windows and formation of balcony over existing single storey rear lounge.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - Whether the proposal is inappropriate development for the purposes of the National Planning Policy Framework (the Framework) and any other relevant development plan policies.
 - The effect of the proposal on the openness of the Green Belt and the character and appearance of the area.
 - If the development is inappropriate, 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 circumstances necessary to justify the development.

Reasons

Whether inappropriate development

3. The appeal property is a detached dwelling situated within the Green Belt and the Surrey Hills Area of Outstanding Natural Beauty (AONB). Although the existing roof has pitched elements along the front elevation, it is mostly flat to the rear. The proposed development involves constructing a new pitched roof with dormer windows over this flat area.
 4. The Framework makes it clear that the Government attaches great importance to the protection of Green Belts and substantial weight must be given to any
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development which harms them. It is stated that the essential characteristics of Green Belts are their openness and permanence and, consequently, the construction of new buildings in the Green Belt should be regarded as inappropriate, with a limited number of exceptions. This includes the extension or alteration of a building which does not result in disproportionate additions over and above the size of the original building. Policy H9 of the Guildford Borough Local Plan 2003 (the Local Plan) indicates that there is a presumption against disproportionate extensions outside settlements within the Green Belt and this is also reflected in Policy RE2. Hence, the Local Plan is consistent with the Framework in this respect.

5. Both the Framework and the Local Plan are in agreement that 'original building' means as it existed on 1 July 1948, or if built after that date, as it was originally constructed. In this case, the Council indicate that the original floor area of the dwelling was 191.5 m², the existing floor area is 383.4 m², and the floor area of the dwelling with the proposed extension would be 452.04 m². The overall effect of the proposed development is that it would result in a dwelling with a floor area that is 136% greater than the original. I understand that if the effect of additional outbuildings is also taken into account (as the Local Plan indicates that they should be) the increase in floor area would be 227%. Although the Local Plan does not provide any specific guidance on the acceptable size of extensions in the Green Belt, this is clearly a very substantial increase in comparison to the original.
6. The appellant points out that the Council has not shown how it arrived at these figures. Whilst this may be the case, I have not been provided with any alternative calculations to clearly indicate how the dwelling has increased in size from the original. However, I recognise that floor areas are only one measure of size and note that the footprint of the dwelling would remain unaffected by the extension as the additional floor space would be confined within the proposed roof. Despite this, the extension would clearly add to the overall mass of building when viewed externally. While no measures of total volume have been provided, the Council indicate that the extension would have an overall width of 14.5m with a maximum height of 2.2m.
7. I have been referred to a number of cases¹ where the Council has approved large extensions within the Green Belt. Although I do not have the full details of these cases, these decisions are clearly matters of individual judgement based on the particular circumstances of each proposal. The same would apply to the appeal decision² I have been referred to at Peaslake, although I note the proposed increase in floor area in that case was more modest than in the current appeal, particularly when outbuildings are taken into account. As such, these examples do not necessarily establish a convincing precedent of what may be considered 'proportionate' in the current appeal.
8. Whilst the extension would be a relatively subordinate addition to the appeal property as it exists at present, I am mindful that the dwelling has already been extended substantially in the past. Policy dictates that I must compare the original size of the building with the total size of the building that would result if the appeal proposal were to go ahead. With this in mind, the overall increase in size would clearly be significant, even though paragraph 5.39 of the Local Plan advises that small extensions will not necessarily be refused. The

¹ Council Refs: 11/P/00199, 14/P/00217 and 14/P/02182.

² Appeal Decision: APP/Y3615/D/15/3128756.

proposal would therefore result in a disproportionate extension of the original building which, according to the Framework, is inappropriate development within the Green Belt and harmful by definition. In this respect, there would be conflict with Policies H9 and RE2 of the Local Plan.

Effect on openness

9. Openness is an essential characteristic of the Green Belt. The appeal property is set with a large, spacious plot and is set back from the road. However, the extension would inevitably result in some loss of openness as the overall bulk of the building would be increased. Nonetheless, when the effect of the proposal is considered in isolation, this harm would be very slight.

Effect on character and appearance

10. The Council accept that the height and form of the proposed extension would respect the appearance of the existing property. I concur with the Council that there would be no harm to the character and appearance of the AONB or the Area of Great Landscape Value (AGLV) and the proposal would therefore be in accordance with policies RE5 and RE6 which seek to protect such landscapes. Indeed, it is agreed that the proposal would lead to a positive enhancement of the dwelling because the existing flat roof would be replaced with a pitched roof of a more vernacular and aesthetically appropriate design.
11. Although the extension would not be easily visible from the road, the site is surrounded by open countryside from which the dwelling can be seen from distance. While the Framework places great weight on the protection of scenic beauty within AONBs, the appeal property is only a small component of the wider landscape and so the visual enhancement that would result from the extension would be of a relatively limited magnitude. Nonetheless, I recognise that any improvement in the architectural form of the building would clearly be of some benefit to the appearance of the AONB. I therefore assign these benefits a moderate level of weight in my decision.

Other considerations

12. The appellant argues that the property could be extended without the need for planning permission. However, little evidence has been presented to indicate that any extension built under permitted development rights would be as substantial as the proposal before me in this appeal. I therefore give this matter very limited weight in my reasoning.

Whether very special circumstances exist

13. I have found that the proposal would be inappropriate development and the Framework establishes that 'substantial weight' should be given to this harm. There would also be a very slight loss of openness. On the other hand, the proposal would improve the appearance of the property and, to a certain extent, the appearance of the landscape. I assign these benefits moderate weight. Only limited weight is attached to the potential for permitted development rights to be exercised.
14. The Framework indicates that development that is harmful to the Green Belt should not be approved except in very special circumstances. For such circumstances to exist, the harm to the Green Belt and any other harm must be outweighed by other considerations. In this case, the substantial weight

given to Green Belt harm is not clearly outweighed by other considerations sufficient to demonstrate very special circumstances.

15. I therefore conclude that the appeal should be dismissed.

Colin Cresswell

INSPECTOR