

Appeal Decision

Site visit made on 6 April 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 26 April 2017

Appeal Ref: APP/Y3615/D/17/3168313

Amritsar, Milestone Close, Ripley GU23 6EP

- 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 A Williams against the decision of Guildford Borough Council.
 - The application, Ref. 16/P/02176, dated 26 October 2016, was refused by notice dated 21 December 2016.
 - The development proposed is a part single storey, part two storey rear / side extension following demolition of the existing detached garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework 2012 ('the Framework') and any relevant development plan policies; (ii) the effect on the rural character of Milestone Close, and (iii) whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations that would amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal is inappropriate development

3. Paragraph 89 of the Framework explains that the extension or alteration of a building is not inappropriate development provided it does not result in disproportionate additions over and above the size of the original building. Policies RE2 and H9 of the Guildford Borough Local Plan 2003 ('the Local Plan'), although pre-dating the Framework by almost a decade, are consistent with it.
 4. However, both the Framework and the Local Plan are silent in terms of a specific figure or even a range figure for the purposes of assessing whether an extension would be disproportionate in relation to the original building. I do not therefore accept the part of the Officer's report that asserts that an uplift of 62% in floor area is in itself a disproportionate addition. However, Local Plan paragraph 5.39, which seeks to interpret the Council's Green Belt policy including Policy H9, is helpful. This paragraph effectively explains that an arithmetic approach to the increase in size is not favoured. Instead the
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principal consideration will be the potential impact of the extension itself on the openness of the Green Belt and the visual amenities of the Green Belt in terms of its size, scale, design, materials and character.

5. With these points in mind I saw on my visit that the original building can be readily differentiated from the existing. It was of a cottage style with a shallow depth, a fairly steep pitched roof with gables at each flank and a pleasingly symmetrical front elevation. The extensions approved in 2005 increased the overall depth by the inclusion of all or most of a two storey projection at the same ridge height over most the original building's width and featuring a large gable facing the rear garden. The appeal scheme seeks to add further depth to the existing extension, maintaining its width but with a hipped roof. In addition there is the single storey wrap-around element.
6. As the basis of assessing whether or not the scheme would be inappropriate development includes the cumulative effect on the scale, design and character of the original building, I consider that the combination of the earlier and the now proposed two storey and single storey extensions would be such as to result in an overly large, bulky and disproportionate addition to the original building. It would additionally cause harm to the character of the original building by departing further from its smaller scale and simpler design.
7. Furthermore, because of the fairly wide gap between Amritsar and No. 2 Milestone Close the further two storey depth would be clearly visible in the approach down the road, in the same way as the earlier extension is already. I consider that the scale and bulk of this disproportionately deep cumulative addition relative to the original shallow building would have a noticeable and harmful effect on the openness of the Green Belt.
8. Taking these factors together, I conclude on the first issue that the proposal would result in disproportionate additions over and above the size of the original building in conflict with the Framework and Local Plan Policies RE2 and H9. It would therefore be 'inappropriate development' for the purposes of local and national policy, which by definition is harmful to the Green Belt.

Effect on the rural character of Milestone Close

9. There are a variety of dwelling designs in the Close, some of which positively contribute to the rural character of the area and some of which do not. Because of the afore-mentioned effect of the appeal proposal on the character and appearance of the original building of Amritsar as a cottage style dwelling I consider that the Council's objection on this issue is valid. Accordingly there would be a conflict with Local Plan Policies H9 & G5 and Section 7: 'Requiring Good Design' of the Framework.

Other Considerations

10. Having expressed my view that (i) the appeal proposal represents inappropriate development with its 'harm by definition' and (ii) that there would be other harm in terms of the effect on the rural character of the Close, I am required under issue (iii) to have regard to other considerations in order to weigh the Green Belt balance. In this regard the grounds of appeal refer to the existence of permitted development rights that have been confirmed by the approval of an application for Certificate of Lawful Development. The appellants consider

that the 55m² of floorspace approved in flat roof extensions to the sides and rear of the dwelling would be out of keeping with the building and the character and appearance of the Close and harmful to the openness of the Green Belt. Accordingly a proposal for this floorspace would be better represented in the appeal scheme.

11. However, whilst I acknowledge that there is some logic in this approach I do not consider that the distribution of a pre-determined floorspace figure can by legitimately applied to Green Belt policies that in this case are based more on a qualitative than a quantitative approach to the interpretation of whether a proposal would be inappropriate development or conversely 'not inappropriate'. Furthermore, because the single storey flat roof permitted development extensions have been acknowledged as not being in keeping with the dwelling, I am not convinced they would necessarily be built. I also do not regard increase in building footprint as affecting openness more than a two storey extension.

Conclusion

12. I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
13. For the reasons set out above, and having regard to all other matters raised the appeal is dismissed.

Martin Andrews

INSPECTOR