



Appeal Decision

Site visit made on 25 April 2017

by R J Marshall LLB DipTP MRTPI

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

Decision date: 26 May 2017

Appeal Ref: APP/A3655/D/17/3166454

Sadlers, Blackhorse Road, Brookwood, Woking GU22 0RE

- 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 Ms Maria Christophor against the decision of Woking Borough Council.
 - The application Ref PLAN/2016/0827, dated 14 October 2016, was refused by notice dated 22 December 2016.
 - The development proposed is two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are: **first**, whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the development plan; **second**, its effect on the openness of the Green Belt; **third**, its effect on adjoining trees; and **fourth**, whether harm through inappropriateness or any other harm would be clearly outweighed by other considerations.

Reasons

Whether inappropriate development

3. The appeal property is a detached house in the Green Belt. It is proposed to add a quite substantial 2 storey extension to the rear.
4. The Woking Core Strategy (CS) 2012 reiterates Government policy in the National Planning Policy Framework on the Green Belt. This is to the effect that great importance should be attached to such areas and that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is regarded, by definition, as harmful to the Green Belt and should not be approved except in very special circumstances. Both the Framework and the CS say that new building in the Green Belt is inappropriate unless, amongst other things, it is for extensions or alterations to buildings that would not result in disproportionate additions to the original building.
5. Neither the Framework nor the CS specify what a disproportionate addition would be or how the original dwelling should be defined. However, Policy DM

13 of the Council's Development Management Policies 2015 (DMP) says that the original building should be taken as it existed at 1 July 1948 or if it was constructed after the relevant date as it was first built. Explanatory text to the Policy goes on to say that as is common in development in Surrey and the south-east the expectation is that to be acceptable proposals will be within the range of 20- 40% above the volume of the original building.

6. The appellant says that the house has been extended only once in 2009 by a 2 storey extension on the front left hand side of the house. However, from my perusal of the plans and what I saw it seems that the house has not only been extended as referred to, in accordance with a 2006 permission, but that it has also been extended at first floor level at the rear over a ground floor extension. This earlier extension was in accordance with a 1995 permission.
7. I have been given various footprint figures but those relating to volume are most relevant in Policy terms and to assess impact on openness. Unfortunately no volume figure has been provided for the original house. However, from figures provided on current and proposed volumes, which the appellant has not disputed, the proposed development would give rise to an increase in volume over the existing of around 32%. Bearing in mind that 2 quite substantial extensions have been added to the property it seems to me that the proposed development would inevitably give rise cumulatively to an increase over and above the size of the original dwelling considerably beyond the Policy range of 20-40%. In the absence of a clearer explanation I have no reason to believe that the appellant's reference to a wood frame building being replaced several decades ago by a brick structure should alter my view on this.
8. Given the above it is concluded that the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the development plan.

Effect on openness

9. An extension of the size proposed over and above that of the original dwelling would have an adverse impact on openness in spatial terms. It would also have an adverse impact on openness in visual terms as although the site is generally well screened the proposed extension would be seen across a car park to the north. Taken individually harm to openness would be limited. However, if extensions beyond the range set out in DMP Policy DM13 became commonplace in the Green Belt substantial harm to openness would arise especially in an area such as this of scattered dwellings.
10. It is concluded that there would be harm to the openness of the Green Belt.

Effect on adjoining trees

11. There are a few relatively small trees on the northern boundary of the site. Their canopies do not greatly overhang the site and I am satisfied that it would be possible to build the proposed extension with no undue harm to the trees.
12. It is concluded that there would be no adverse impact on adjoining trees. Thus there would be no conflict with CS Policies CS21 and CS24 and DMP Policy DM2 on the retention of trees.

Other considerations

13. The appellant is seeking to provide an additional bedroom and a breakfast area and add to existing bathroom facilities. It is said that this would make a properly proportioned family home and is required to allow elderly parents to be accommodated. However, whilst I understand the appellant's wishes in this regard such personal circumstances generally carry only limited weight and I consider that should also be so in this case.
14. There are some houses in the vicinity of the appeal site larger than the appellant's house, some much larger. However, they are well spaced apart and the existence of large houses in the area makes no significant difference to the need to protect the openness of the Green Belt. Nor is there any substantial evidence in terms of planning background to show that, if recently built or extended, they constitute an inconsistent approach by the Council to the application of Green Belt policy. Little weight should, therefore, be attached to the existence of these houses.
15. The appellant says that permission was granted in 2002 for a substantial replacement house on the appeal site and that it was not implemented. However, without further evidence on then current development plan Policies and the size of the house proposed this carries little weight. A potential fallback position, presumably based on the exercise of permitted development rights, has been suggested which would result in a different form of rear extension and provision of dormer windows. However, I am not convinced that this is more than a theoretical possibility and even if carried out there is no evidence that this would be more harmful in Green Belt terms than the proposal before me. I attach little weight therefore to the fallback position. The fact that some neighbours have written not to object to the proposal has little bearing on whether it would be inappropriate development in the Green Belt and therefore little weight is attached to this.

Final balancing

16. The proposal is inappropriate development which is by definition harmful to the Green Belt. The Framework requires that substantial weight be attached to this harm. I have found that there would be some harm to the openness of the Green Belt, limited in terms of this proposal alone but more substantial in terms of the cumulative impact of further such development in the Green Belt. I have found no harm in relation to the impact on trees. Set against the harm I have found I have attached only limited weight to; the requirements put forward for the additional accommodation; observations made on other houses in the vicinity; the alleged fallback position and the lack of neighbour objections. I thus find that matters raised in favour of the proposed development do not clearly outweigh the harm through inappropriateness and the harm to openness so as to amount to very special circumstances.

Conclusion

17. For the reasons given above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR