

Appeal Decision

Site visit made on 18 October 2017

by Martin H Seddon BSc DipTP MPhil MRTPI

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

Decision date: 10 November 2017

Appeal Ref: APP/A3655/D/17/3179440

23 Elveden Close, Pyrford, Woking, Surrey, GU22 8XA

- 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 Gardner against the decision of Woking Borough Council.
 - The application Ref: PLAN/2017/0373 was refused by notice dated 1 June 2017.
 - The development proposed is: Two storey side and rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would be inappropriate for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - the effect on the purposes of the Green Belt and its openness, and
 - 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 constitute the very special circumstances sufficient to justifying allowing the appeal.

Reasons

Whether inappropriate development in the Green Belt

3. No.23 Elveden Close is a two-storey semi-detached dwelling with a distinctive mansard style roof design and use of materials. It is part of a 1950's development of similar dwellings set in the open countryside and Green Belt. The dwelling has an existing single storey rear extension.
4. The National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The extension of an existing building is not, however, inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. There is no definition of 'disproportionate additions' in the Framework. The 'original building' is as it existed on 1 July 1948 or, if constructed after 1948, as it was built originally.

5. The national policy advice in the Framework has to be read together with the relevant development plan, which in this case includes the Woking Core Strategy 2012, Development Management Policies Development Plan Document (DPD) and Pyrford Neighbourhood Plan. Core Strategy policy CS6 indicates that strict control will continue to apply over inappropriate development in the Green Belt as defined in the Framework. Policy DM13 of the Development Management Policies DPD allows the extension and alteration of buildings within the Green Belt where the proposal does not result in disproportionate additions over and above the size of the original building as it existed at 1 July 1948 or if it was constructed after the relevant date, as it was first built. These development plan policies are generally consistent with the Framework.
6. The Council advises that the proposal and existing extension to the original dwelling amount to around a 77% cumulative increase over the original floor area. The cumulative increase in volume would be approximately 67%. The appellants do not dispute these calculations, but draw my attention to other examples of extensions in the area. The supporting text for policy DM13 of the Development Management Policies DPD indicates that a proportionate increase in volume would be around 20-40%, although some flexibility may be applied.
7. The proposed side and rear extensions would add a significant amount of additional floorspace and bulk to the dwelling and in excess of the 20-40% guideline. The proposal would therefore result in disproportionate additions to the building and would constitute inappropriate development in the Green Belt. As already noted, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Effect on the purposes of the Green Belt and its openness

8. The proposed rear extension would be of a similar design to that of the adjoining semi-detached dwelling of No.22 Elveden Close, thereby re-balancing the appearance of the rear elevation of the pair of semi-detached dwellings. It would have less impact on the street scene than the proposed side extension. The proposed side extension would narrow the gap between the appeal building and No.24 Elveden Close. The Council has indicated that it considers that the proposals would not harm the character of the building or surrounding area and would cause no harm to the living conditions of neighbours. However, it advises that this lack of harm would not outweigh the conflict with Green Belt policies.
9. The Framework indicates that the essential characteristics of Green Belts are their permanence and openness. The proposed extensions would reduce the open character of the Green Belt because of the additional built footprint and bulk that would result. There would be some harm, albeit limited, to one of the purposes of Green Belt policy, which is to assist in safeguarding the countryside from encroachment.

Whether very special circumstances exist

10. The Framework advises that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the

potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

11. The appellants do not specifically refer to the existence of very special circumstances, but explain how the property would be designed and re-ordered to reflect modern living. They consider that the proposals would not harm the openness of the Green Belt and that Elveden Close is a small development that is not typical of Green Belt settings.
12. The appellants draw my attention to examples of previously built extensions which they consider have a comparable uplift in floorspace and volume to that of the appeal proposal. These include extensions to No.15 Elveden Close which they contend involved an increase of around 87% in footprint, 61% in floor space and 64% in volume, and No.22 Elveden Close which had an increase of approximately 93% in footprint and 66% in volume. The Council advises that earlier proposals for Nos.14 and 15 Elveden Close were dismissed on appeal. The Council submits that the Inspector's comments, in that appeal decision, on the increase in footprint, volume and floor area likely to be disproportionate (made in the context of existing extensions at No.22) should be given limited weight. I see no reason to disagree, given that the appeal regarding extensions at Nos.14 and 15 was determined prior to adoption of the Development Management Document Policies DPD, which now contains the 20-40% volume increase guidelines. The extensions at No.22 were approved around 12 years ago, prior to the adoption of current development plan policies and publication of the Framework. In view of this history of planning policy adoption and the timing of decisions, I accord limited weight to the existence of these extensions to buildings in the vicinity, in the determination of this appeal.
13. The matters raised by the appellants are acknowledged. The appeal proposal has to be considered on its individual merits and in the context of national Green Belt policy and relevant development plan policies. As found above, the proposal would represent a disproportionate addition over and above the size of the original building and would constitute inappropriate development in the Green Belt. The harm from the proposal in respect of inappropriateness, harm to the openness of the Green Belt, and limited harm to the one of the purposes of Green Belt policy, clearly outweigh the matters put forward by the appellant as favouring the proposal. Very special circumstances do not exist which would justify allowing the proposal. It would conflict with the Framework, Core Strategy policy CS6 and policy DM13 of the Development Management Policies DPD.

Conclusion

14. I have taken all other matters raised into account. For the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR