
Appeal Decision

Site visit made on 23 July 2019

by Sarah Dyer BA BTP MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 8th August 2019

Appeal Ref: APP/Y3615/D/19/3228081

Little Orchard, Eashing Lane, Godalming GU7 2QA

- 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 Alan Johnson against the decision of Guildford Borough Council.
 - The application Ref 19/P/00057, dated 9 January 2019, was refused by notice dated 7 March 2019.
 - The development proposed is rear single floor garden room with alterations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During the course of the consideration of the appeal the Guildford borough Local Plan; strategy and sites (the Local Plan) was adopted. The Council has advised that Policy G1(3) of the Guildford Borough Local Plan 2003 (the 2003 Local Plan) has been saved and that Policies RE2, RE6, G5(1) and G5(6) of the 2003 Local Plan have been superseded by Policies P1, P2 and D1 of the Local Plan. I have advised the appellants of the adoption of the Local Plan and the policies which the Council regards as relevant and I have taken account of any comments received in this regard in my determination of the appeal.

Main Issues

3. The main issues are:
 - Whether or not the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the development on the openness of the Green Belt and on the character and appearance of the area,
 - If the development is inappropriate, whether or not any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal in accordance with the Framework.

Reasons

Whether inappropriate development

4. The development involves the erection of a single storey extension. Paragraph 145 of the Framework sets out that the extension of a building is not inappropriate development providing that it does not result in disproportionate additions over and above the size of the original building.
5. Policy P2 of the Local Plan relates, amongst other things, to the construction of new buildings in the Green Belt and refers to the exceptions set out in the Framework in relation to what constitutes inappropriate development. Policy P2 of the Local Plan also includes a definition of 'original building'. This policy is in accordance with the Framework.
6. The Council's report sets out that planning permission was granted for a bungalow on the site in the 1950s and that subsequently permission was granted for extensions and the erection of a three-car garage in 1975 and 1988 respectively. The appellant has not disputed this nor has he sought to argue that these consents have not been implemented nor that the 75% increase in the size of the original dwelling calculated by the Council is incorrect. On the basis of my observations of the contrasting elements of the bungalow, the building has been extensively expanded since it was originally constructed.
7. Assessing proportionality is primarily an objective test based on size. On the basis of the information before me, comparing the original building to the one that would result if the proposal were to go ahead in combination with the earlier extension, the outcome would be disproportionate.
8. I conclude that the appeal proposal would constitute inappropriate development in the Green Belt. The development would therefore be contrary to Policy P2 of the Local Plan.
9. It is not clear whether Policy H9 of the Guildford Borough Local Plan 2003 is a saved policy. However, Policy H9 does not apply the disproportionate additions test to extensions within identified settlements in the Green Belt. The appeal site is within an identified settlement. However, Policy H9 is not in accordance with the Framework in this respect, consequently even if Policy H9 were a saved policy it would attract very limited weight.

Openness and character and appearance

10. The Green Belt has both a spatial and a visual dimension. The extension would be located on land which is currently laid out as a patio, however in view of the absence of buildings on the site, the development would lead to a loss of openness in spatial terms by virtue of its footprint, albeit of a relatively small area.
11. Eashing Lane is a country road with sporadic development of varying design and age on both sides. Little Orchards is a detached bungalow with rooms in the roof set back from Eashing Lane and surrounded by grassed paddocks. A substantial three bay garage with a steeply sloping roof lies perpendicular to the bungalow. The design of the extension would be compatible with the host dwelling and it would be generally screened from views from the lane by the existing bungalow and the garage block. To that extent the development would not have an adverse visual effect on the character and appearance of the area.

Therefore, the development would accord with Policy D1 of the Local Plan which requires new development to be designed to address local character.

12. Overall, the development would have a very limited impact visually, but a greater impact spatially, thus, the proposed extension would have a limited harmful impact on the openness of the Green Belt. The Framework states that any harm to the Green Belt should be attached substantial weight in decision making.

Other considerations

13. The appellant is a long-standing resident of the site and there were no objections raised to the development by his neighbours. However, the National Planning Policy Framework establishes that substantial weight should be given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The evidence does not point towards any specific benefits of the development; thus, I have not found any benefits which would clearly outweigh the harm to the Green Belt by reason of inappropriateness. Consequently, the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist.

Conclusion

14. For the reasons set out above the appeal is dismissed.

Sarah Dyer

Inspector