



Appeal Decision

Site visit made on 24 July 2019

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 16 August 2019

Appeal Ref: APP/R3650/D/19/3229815

Linea Verde, Grange Road, Tilford, Farnham GU10 2DZ

- 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 Trevelyan Developments Limited against the decision of Waverley Borough Council.
 - The application Ref: WA/2018/2174 dated 14 December 2018, was refused by notice dated 5 April 2019.
 - The development proposed is extensions and alterations to dwelling known as Linea Verde
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Decision

1. The appeal is allowed and planning permission is granted for extensions and alterations to dwelling known as Linea Verde at Linea Verde, Grange Road, Tilford, Farnham GU10 2DZ in accordance with the terms of the application, Ref: WA/2018/2174 dated 14 December 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1118/S-101; 1118/S-102; 1118/P-101.D and 1118/P-102.D.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development, including enlargement, improvement or alterations to the existing dwelling, including to the roof, and buildings and structures incidental to the enjoyment of the dwelling, which would otherwise fall within Classes A, B, D and E in Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

Preliminary Matters

2. Amended plans were submitted during the application process and my decision is based on those amended plans, which were determined by the Council.

Main Issues

3. The main issues in this appeal are:

- a) Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies and its effect on openness; and
- b) the effect of the proposal on levels of light pollution.

Reasons

Issue a) Whether inappropriate development and effect on openness

- 4. The appeal property is a detached two storey barn dwelling to the north of Grange Road situated on the edge of the Greenhills Estate which has a mix of commercial uses, set within extensive open and wooded grounds. There is an area of tree planting which generally screens views into the appeal site off Grange Road but the site and surrounding land is relatively open within the estate. The appeal site lies within the Green Belt well as an Area of Outstanding Natural Beauty (AONB), Area of Great Landscape Value (AGLV) and Area of Historic Landscape Value (AHLV).
- 5. The building as it currently stands has the benefit of planning permission granted under the Council's reference WA/2013/1042 for the change of use of the barn to a dwelling. I noted at the time of my site visit that the building is not yet occupied with some works still to be undertaken. However, the Council has taken the view that the dwelling is now substantially complete, and I have no evidence before me to take a different view. The proposal would include for both single and two storey extensions to increase the accommodation.
- 6. The Framework 2018 sets out the government's planning policies to secure sustainable development. Paragraph 133 sets out the great importance that the Government attaches to Green Belts and that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 confirms that *inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances*. Paragraphs 145 and 146 set out the limited number of developments which are not considered inappropriate.
- 7. Paragraph 145 sets out that the construction of new buildings is inappropriate except for a limited number of exceptions including the extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building. The Framework does not define further the term 'disproportionate'.
- 8. Policy RE2 of the Council's adopted Local Plan (Part 1) 2018 (Local Plan 2018) indicates that national green belt policies will be applied to development proposals in the Green Belt. Policy RD2 of the adopted Local Plan 2002 (Local Plan 2002) sets out more detailed criteria to assess proposals for extensions to dwellings in the countryside both within and beyond the Green Belt.
- 9. The first criterion repeats national guidance in relation to whether the proposal would be a disproportionate addition over and above the size of the original dwelling. The supporting text to Policy RD2 suggests that as a guideline an

extension which increases the floorspace of the original dwelling by more than 40% is unlikely to satisfy this criterion. The Council has calculated the increase in floorspace to be some 32.11% over and above the existing and would therefore not be a disproportionate addition in accordance with policy on this mathematical basis.

10. However, Policy RD2 of the Local Plan 2002 sets out that in assessing whether a proposal would be disproportionate, account will be taken of the relative increase in floorspace together with the form bulk and height of the proposal in comparison with the original dwelling. The two other criteria also refer to impact on the character and appearance of the dwelling and impact on the rural character of the local area and visual intrusion in the landscape.
11. The existing building is a simple rectangular barn with a range of window openings. The proposals would add a number of individually small scale extensions, resulting in several projections from the rectangular building. The ridge height would not be increased and the increase in footprint would be relatively modest. Although the building would appear more complex in form and appearance with its projections and differing window forms, I do not consider that the proposed extensions, taken together, would materially increase the scale of the building or its impact on the openness of the Green Belt. It would not significantly affect the ratio of built floorspace to the rest of the plot and would not, in my view, appear significantly more prominent or visually intrusive within the local area. It would not therefore adversely impact the rural character of the local area.
12. Taking all of these factors together, I conclude that the proposal would not be inappropriate development for the purposes of the Framework and development plan policy. There is therefore no need for the development to be justified by very special circumstances.

Issue b) Light pollution

13. The Council's second reason for refusal refers to an unacceptable level of light pollution as a result of the proposed expanse of fenestration. There would be an increase in the extent of glazing in the proposed development compared with the existing building, both in terms of the number of windows and the overall extent of glazing. However, there is no evidence before me to demonstrate that the increased amount of glazing would result in unacceptable levels of light pollution. Moreover, light pollution would also depend on the way in which future occupiers used the property, for example in terms of whether there were curtains at windows and whether these would be drawn or windows left open in hours or darkness, as well as the pattern of room usage and lights left on or turned off during hours of darkness.
14. Given that the potential for light spillage and pollution would not solely reflect the extent of windows in the building and the lack of any specific evidence before me in this regard, I do not consider that the proposals would result in light pollution and that the Council's concerns in respect of light pollution would not justify withholding planning permission on this issue. There would be no conflict with Policies D1 and D4 of the Local Plan 2002 and Policy TD1 of the Local Plan 2018, all of which seek a high quality of design which respects the local context.

Other Considerations

15. Given the modest scale of the proposals in relation to the existing building, there would be no harm to the wider rural landscape, particularly in terms of conserving the landscape and scenic beauty of the AONB, AGLV and AHLV. There would be no issues relating to neighbouring amenities and biodiversity issues. The Council also raised no concern in respect of any of these matters.
16. The Appellant has drawn my attention to a number of appeal and High Court/ Court of Appeal decisions relating to development proposals in the Green Belt. Each planning proposal must be judged on its individual merits. Nonetheless, I have taken these other decisions into account and find nothing within these decisions and judgements which conflicts with the decision I have reached in this case.

Conditions and Conclusion

17. In terms of conditions, I agree with the Council that the materials should match those used on the existing building in order to protect the character and appearance of the existing building and local area. A condition should be imposed to list the approved plans for the avoidance of doubt and in the interests of proper planning. I agree that in the particular circumstances of this case, with the uplift in size from the original conversion and reflecting its Green Belt location, that permitted development rights for further extensions to the property should be removed. I have, however, made specific reference to the Classes of the General Permitted Development Order that would be restricted.
18. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be allowed.

L J Evans

INSPECTOR