
Appeal Decision

Site visit made on 7 October 2019 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th November 2019

Appeal Ref: APP/R3650/W/19/3232087

15, Amberley, Clumps Road, Lower Bourne, Farnham GU10 3HF

- 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 B Beanland against the decision of Waverley Borough Council.
 - The application Ref WA/2019/0199, dated 17 January 2019, was refused by notice dated 8 May 2019.
 - The development proposed is demolition of the existing dwelling at Amberley, 15 Clumps Road and its replacement with a new dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. A set of new plans have been submitted by the appellant showing an amended scheme, which I understand forms a planning application currently being considered by the Council. Though these amended plans show a similar scheme to that before me they have not been subject to consultation with neighbours or consultees as part of the appeal process. On this basis, I consider these parties would be prejudiced were I to accept the plans and so in this appeal I will consider the same proposal as the Council considered originally.

Main Issue

4. The main issues in the appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (NPPF) and development plan policies;
 - The effect of the proposal on the openness of the Green Belt; and
 - If the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Would it be inappropriate development?

5. Paragraph 145 of the NPPF states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. One exception is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces (Part d).
6. Policy RE2 of the Local Plan (Part 1) 2018 states that proposals will be considered in accordance with the NPPF. Saved Policy RD2 of the Local Plan (2002), referred to in the decision notice, concerns extensions to dwellings in the countryside and is therefore not applicable to this proposal. However, both parties refer to saved Policy RD2A of the Local Plan (2002) which relates to replacement dwellings, so is relevant and is generally consistent with the NPPF in that it seeks to ensure that replacement dwellings are not materially larger than the dwelling they replace.
7. The appellant and the Council agree that the new two storey contemporary style dwelling would result in less than a 10% increase in floorspace compared to the existing sprawling detached bungalow, so accords with saved Policy RD2A in this regard. The proposed dwelling would also have a smaller width and depth than the existing bungalow. However, policy RD2A also says that form, bulk and height will be taken into account when considering if a building is materially larger. In this case the height and bulk of the proposed dwelling is considerably greater than the existing. The two storey, flat roof design, gives a far bulkier appearance at first floor level through the addition, effectively, of a whole new storey, and so would appear materially larger than the building it would replace.
8. Reference has been made to several other replacement dwellings in the Green Belt. However, when assessing the difference between a specific existing dwelling and its replacement dwelling, other cases have little influence on my consideration.
9. On the above basis, the proposal would be inappropriate development and it would not accord with Part (d) of paragraph 145 of the NPPF, Policy RE2 of the Local Plan (2018) or RD2A of the Local Plan (2002), as described above.

Openness

10. The NPPF states that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence". Openness can be determined by visual and spatial aspects.
11. The replacement dwelling, even though it would have a smaller ground area than the existing dwelling, would be higher and bulkier and would therefore result in a materially larger building than the one it would replace. Consequently, it would result in some loss of openness in the Green Belt in spatial terms.
12. The appeal site is the last property at the end of Clumps Road. There are mature trees and landscaping along all boundaries of the site and access is by means of a pair of solid timber gates some 2m in height, such that there would

be no views of the proposals from Clumps Road, neighbouring properties or public land. As such there would be no impact on visual openness.

13. Whilst I have not found that any visual effects will occur, spatial harm will occur and so overall, the dwelling would have some harmful effect on openness. This harmful impact on openness, combined with the inappropriateness of the proposal in principle, carry substantial weight.

Other Considerations

14. The NPPF states 'very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, is clearly outweighed by other considerations.
15. Both parties agree on various aspects of the proposal including that the development would not have an adverse impact on the Area of Outstanding Natural Beauty or Area of Great Landscape Value it is located within, that there would be no adverse impact on the amenities of neighbouring properties, suitable parking and accommodation would be provided and, notwithstanding the fact the Council consider the proposal to be materially larger, the design approach is acceptable. I have no reason to disagree. However, the lack of harm in these respects carries neutral weight. In addition, though I note that the new dwelling would seek to utilise sustainable resources, I give little weight to this as all new houses would be expected to be sustainable and energy efficient.

Planning Balance and Conclusion

16. The NPPF advises that the Government attaches great importance to Green Belts and that substantial weight should be given to any harm to the Green Belt. It is considered the development would cause harm to the Green Belt by way of inappropriateness and harm to openness. Balanced against that are the other considerations identified above. For the reasons given, I conclude that they do not clearly outweigh the harm to the Green Belt and therefore there are no very special circumstances to justify the proposal.
17. Therefore the proposed development would be contrary to the NPPF and Policy RE2 of the Local Plan (2018) and RD2A of the Local Plan (2002) as described above.
18. As such for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR