
Appeal Decision

Site visit made on 26 November 2019

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2019

Appeal Ref: APP/Y3615/D/19/3236488

Tamaris Nursery, Portsmouth Road, Ripley GU23 6ER

- 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 M Richardson against the decision of Guildford Borough Council.
 - The application Ref 19/P/00681, dated 14 April 2019, was refused by notice dated 18 June 2019.
 - The development proposed is for rear, front and side extensions to the bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- Whether the proposal 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 on the openness of the Green Belt;
- The effect on the character and appearance of the area, and;
- If inappropriate, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

1. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034, April 2019 (LP) seeks to protect the Green Belt from inappropriate development in accordance with national policy in the Framework. The Framework advises that new buildings in the Green Belt are inappropriate development save for express exceptions. Paragraph 145 c) of the Framework includes the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building.

2. The term 'original building' is defined in the Glossary to the Framework and policy P2(2)(a) of the LP as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
3. The Council consider the floorspace of the original building amounts to approximately 90sqm and that if the appeal proposal were constructed the resultant building would have a floorspace of approximately 200sqm, thereby more than doubling the original floorspace¹. The appellant has not disputed the figures relied upon by the Council in this regard, and I have not seen evidence to the contrary. Consequently, the proposed development would result in a considerable increase in the footprint of the dwelling.
4. However, the Framework refers to size rather than just floorspace and therefore, this encompasses the consideration of volume and external dimensions too. Notwithstanding that the height of the extension is limited to an extent by the extensive use of a flat roof, due to the significant enlargement of the footprint there would nevertheless be a considerable increase in the overall volume and mass of the dwelling. Moreover, the proposal would extend further to the northern side of the dwelling in addition to the rear. When this is combined with the infill extension at the front of the dwelling and the roof alterations involving the replacement of a hip roof to a gable² on the side elevation, overall the external dimensions of the original building would expand significantly.
5. Neither policy P2 of the LP nor the Framework specify how 'proportionality' should be measured, and consequently there is no specific limit expressed as an amount of floorspace or volume. Nevertheless, taking the above factors together, the resulting building would be significantly larger in comparison to the modest size of the original bungalow. Therefore, in my view, the proposal would clearly represent a disproportionate addition.
6. Accordingly, the proposed extension would significantly increase the size of the dwelling to such a degree that it would be disproportionate to the original building. The evidence does not show that it would fall within the exceptions for new buildings in the Green Belt set out in paragraph 145 of the Framework and therefore, it would constitute inappropriate development in the Green Belt.

Openness

7. The appeal building is located on the western side of Portsmouth Road adjacent to Broom House, both of which are detached, set within generous grounds, and separated from other properties by the road and agricultural land. As a result, the area in the vicinity of the appeal site is open with a limited amount of built form.
8. The significant increase in the size of the building as already outlined would have an adverse spatial impact upon the openness of the Green Belt. I acknowledge that, due to the limited height and siting at the rear of the bungalow, most of the increase in size would not be easily seen from Portsmouth Road which would limit the visual harm. Nevertheless, an appreciation of the overall increase in size would be possible in glimpses of the side of the bungalow from the road to the south.

¹ Figures used in page 2, Council's Planning Officer report

² Paragraph 4 of Appellant's Appeal Statement

9. Overall, having regard to the relatively minor scale of the proposal, the development would result in limited harm to the openness of the Green Belt.

Character and appearance

10. The section of Portsmouth Road nearest to the appeal site has a semi-rural, spacious, verdant character derived from the proximity of open fields, the presence of trees and hedgerows as well as the established pattern of development comprising mostly of detached dwellings of traditional construction incorporating predominantly hipped and pitched roofs set within generous grounds.
11. The appeal site currently accommodates a detached bungalow which, although having undergone some recent modernisation, contributes positively towards the spacious semi-rural character of the area due to its spacious plot and modest scale and form.
12. The development would approximately double the depth of the bungalow and the extension would be wider than the host dwelling. Its considerable size and mass would fail to respect the modest scale and proportions of the principal dwelling. In addition, the resulting expansive area of flat roof would result in an elongated form at the rear that would have a discordant impact on the host dwelling and adversely contrast with the prevailing roof form seen in the surrounding pattern of development. As a result, the evidence does not show how the proposal reflects or reinforces locally distinctive characteristics as encouraged by the Residential Design Guide, Supplementary Planning Guidance, July 2004.
13. The appellant highlights that the bulk of the extension would not be seen from the front of the dwelling. Even so, given the width of the proposal, parts of it would be glimpsed from Portsmouth Road as well as in some private views from the adjacent property. Therefore, this would not justify a development that failed to achieve a high quality design as required by policy D1 of the LP.
14. My attention is drawn to a prior notification approval³ for a flat roofed extension at the neighbouring dwelling of Broom Hill. However, the limitations and conditions imposed on the prior notification process for larger household extensions are specified within the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and are therefore, not subject to a similar assessment against the relevant development plan policies and local design guidance applicable to the proposal before me. Moreover, based on the limited information provided and my observations, Broom Hill is a larger two storey property and the extension approved would be smaller than the appeal proposal. Consequently, it would be proportionately smaller relative to the existing dwelling than the case before me. As such, this example attracts limited weight, and in any event, I have determined the appeal proposal on its own merits.
15. Accordingly, the proposal would be contrary to policy D1 of the LP, which amongst other matters, requires new development to achieve a high quality of design that responds to the distinctive local character of the area that takes account of local design guidance.

³ Reference 19/W/00029

Other considerations

16. The appellant refers to potential extensions that might be carried out under permitted development and established by way of a certificate of lawfulness or a prior approval process. However, the evidence does not show that any such certificates of lawfulness or prior approvals currently exist for the appeal site. Furthermore, there is little basis to suppose that the appellant would realistically carry out such extensions given that he indicates that these would be unlikely to meet his practical requirements⁴. Moreover, the evidence before me gives little indication of the cumulative form and scale that such extensions might take and therefore, it is not shown that they would have a greater impact on the openness of the Green Belt in comparison to the scheme before me. Accordingly, overall this matter attracts limited weight.

Green Belt balancing exercise

17. Paragraph 144 of the Framework advises that substantial weight should be given to any harm to the Green Belt. Moreover, very special circumstances to allow inappropriate development will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. In this case, the proposal amounts to inappropriate development, and limited harm would be caused to the openness of the Green Belt. These factors attract substantial weight. In addition, the harm that would result to the character and appearance of the area attracts significant weight. Whilst other considerations advanced by the appellant have been considered, these garner limited weight.

18. Accordingly, I find that the other considerations in this case do not clearly outweigh the harm identified. Consequently, the very special circumstances necessary to justify the development do not exist.

19. Therefore, the proposal would amount to inappropriate development in the Green Belt and would harm openness. It would therefore be contrary to policy P2 of the LP whose principal objective is to protect the Green Belt from inappropriate development in line with the Framework.

Conclusion

20. For the reasons given above I conclude that the appeal should be dismissed.

Helen O'Connor

Inspector

⁴ Paragraph 1 Appellant's Appeal Statement