The Planning Inspectorate

Appeal Decision

Site visit made on 18 November 2019 by Alex O'Doherty LLB(Hons) MSc

Decision by V Lucas LLB (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th January 2020

Appeal Ref: APP/R3650/D/19/3234914
Lilac Cottage, Station Approach, Wormley, Godalming GU8 5TB

- 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 Hugh Frazer-Mann against the decision of Waverley Borough Council.
- The application Ref WA/2019/0724, dated 21 April 2019, was refused by notice dated 19 July 2019.
- The development proposed is two storey flank and rear extensions.

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 Matter

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

4. The appeal site is located within the Green Belt. Accordingly, the main issues in this appeal are:

- whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework ('the Framework') and development plan policy;
- the effect of the proposal on the openness of the Green Belt;
- if the proposal would be inappropriate development, whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Whether Inappropriate Development

5. The Framework establishes that the construction of new buildings within the Green Belt is inappropriate. There are however a number of exceptions to this, as set out in paragraph 145 of the Framework, including 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 (paragraph 145 c)). Policy RE2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (adopted February 2018) ('2018 Local Plan') provides that the Green Belt will continue to be protected against inappropriate development in accordance with the Framework, and that in accordance with national planning policy new development will be considered to be inappropriate and will not be permitted unless very special circumstances can be demonstrated.

6. Retained Policy RD2 of the Waverley Borough Council Local Plan 2002 (adopted 23 April 2002) ('2002 Local Plan') provides that proposals for the extension of dwellings will be permitted provided that the extension: a) does not result in disproportionate additions over and above the size of the original dwelling; b) is of an appropriate design and will not adversely change the character, appearance, bulk and setting of the existing dwelling; and c) will not appear more intrusive in the landscape or otherwise detract from the rural character of the area. Policy RD2 further provides that in assessing whether a proposed extension is disproportionate, account will be taken of the relative increase in floorspace together with the form, bulk and height of the proposal in comparison to the original dwelling.

7. The supporting text to Policy RD2 provides that, as a guideline, a proposal which individually or cumulatively increases the floorspace of the original dwelling by more than 40% will be unlikely to satisfy criterion a). Policy RE2, and criterion a) and the interpretation of 'disproportionate' in Policy RD2, are consistent with the Framework.

8. Calculations provided by the Council, which have not been disputed by the appellant, show that the previous 1972 extension combined with the appeal proposal would create an increase in floor space of more than 100%, over and above the size of the original building. This percentage increase in size over the original building is substantial and is over double that envisaged by Policy RD2. Additionally, the extensions would add noticeable bulk and mass to the property.

9. Therefore, it is clear that the proposal would result in disproportionate additions over and above the size of the original building. The proposal constitutes inappropriate development in the Green Belt for the purposes of the Framework and Policy RE2 of the 2018 Local Plan and Policy RD2 of the 2002 Local Plan. Inappropriate development is, by definition, harmful to the Green Belt.

Openness

10. The Framework denotes openness as an essential characteristic of the Green Belt. The openness of the Green Belt has a spatial aspect as well as a visual aspect. 'Open' can mean the absence of development in spatial terms, and it

follows that openness can be harmed even when development, or a part of it, is not readily visible from the public realm.

11. The cottage is adjacent to commercial property, a rail line, and is screened to some extent by both hard and soft landscaping, but as the proposal would increase the size of the property and result in additional mass, the openness of the Green Belt would, both visually and spatially, be reduced. Even though the impact to openness would be limited and localised, harm would result to the Green Belt.

12. The appeal site is within an Area of Outstanding Natural Beauty (AONB), and in accordance with paragraph 172 of the Framework, I have given great weight to conserving and enhancing the landscape and scenic beauty. As the impacts of the proposal would be limited and localised, the proposal would not be viewed as a harmful element in the wider landscape. The proposal would therefore have a neutral effect on the landscape overall and in conserving it, would not conflict with the Framework in this respect.

Other Considerations

13. The Framework makes it clear at paragraph 144 that substantial weight is given to any harm to the Green Belt. It establishes that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

14. It is not in dispute that the appellant has undertaken a significant clearing of waste from the site, and has plans to revitalise the nearby copse, which may enhance the economy and wildlife in the local area. However, as minimal details have been provided as to the scale of the potential enhancements, little weight has been given to this consideration.

15. It is recognised that the proposal would architecturally improve the cottage by providing a more modern appearance, but as this would merely serve to maintain the character and appearance of the area, this is a neutral factor, which does not weigh in favour of the proposal.

Balancing of Considerations and whether very special circumstances exist

16. The proposal would be inappropriate development in the Green Belt and further harm to the Green Belt would be caused as a result of loss of openness. These matters carry substantial weight. Little weight has been given to the potential economic and wildlife enhancements, and accordingly I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion and Recommendation

17. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

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

V Lucas

INSPECTOR