
Appeal Decision

Site visit made on 18 May 2020

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 10 June 2020

Appeal Ref: APP/R3650/D/20/3246206

Woodcote House, Hascombe Road, Godalming GU8 4AB

- 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 and Mrs Sheeran against the decision of Waverley Borough Council.
 - The application Ref WA/2019/1606, dated 19 September 2019, was refused by notice dated 20 December 2019.
 - The development proposed is erection of extensions.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Planning law¹ requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Although not referred to by the Council in its refusal notice my attention has been drawn to saved Policy RD2 of the Waverley Borough Local Plan 2002 (LP), which is relevant to this appeal because it relates to the extension of dwellings in the countryside and within the Green Belt. In response to my request, the Council has presented me with saved Policy RD2 of the LP and its supporting text. Moreover, the Council has confirmed that the supporting text to the policy was saved. Hence, both the policy and its supporting text form part of the development plan. I have, therefore, had regard to Policy RD2 of the LP and its supporting text in my determination of the appeal.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the area; and
 - If the development is inappropriate, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other

¹ S38(6) of Planning and Compulsory Purchase Act 2004.

considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

4. The appeal building is a residential property with accommodation arranged over two floors. It is located to the west of Hascombe Road (the B2130) and to the south of an access track that serves the appeal dwelling and other properties. The site is situated in the countryside and within the Green Belt.
5. The proposal is for the demolition of the existing garage, dining room, utility area and rear conservatory/garden room and the erection of a part two storey part single storey side and rear extension with the first floor sited within the roof pitch, new dormer windows to the front and rear, and alterations to existing front and rear dormer windows.

Whether the proposal would represent inappropriate development

6. The National Planning Policy Framework (the Framework) establishes that the construction of new buildings should be regarded as inappropriate in the Green Belt unless, amongst other things, it involves the extension or alteration of a building. That is, however, provided that it does not result in disproportionate additions over and above the size of the original building².
7. Policy RE2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018) (LPP1) seeks, in accordance with the Framework, to protect the Green Belt from inappropriate development. Saved Policy RD2 of LP states, amongst other things, that proposals for the extension of dwellings will be permitted within the Green Belt provided that the extension 'does not result in disproportionate additions over and above the size of the original dwelling' (criteria (a) of the policy). In this respect, saved Policy RD2 of the LP conforms to the general thrust of Green Belt policy in the Framework.
8. While supporting text is not 'policy', it is logical to use it to assist in the interpretation and application of Policy RD2. In this case, it provides guidance about the approach that the Council will take in considering extensions to dwellings in the countryside within the Green Belt. It confirms that for the purposes of Policy RD2 the original dwelling is the dwelling that existed on 31 December 1968, or as it was constructed if this was at a date after December 1968, and 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 criteria (a) of the policy. It also states that the floorspace of the dwelling shall be measured externally and shall include porches and conservatories, but shall exclude all non-habitable accommodation and detached outbuildings.
9. The evidence before me indicates that planning permission³ for extensions to the dwelling and a garage was approved on 3 July 1969 and hence after 31 December 1968. Consequently, neither the extension that was subsequently built out, namely the dining room ('sun room' as shown on the original plan), or the garage, form part of the original dwelling. Furthermore,

² Paragraph 145 c) of the Framework.

³ Planning application reference number: HM/R17843

- the other additions and alterations to the property as a result of two later planning permissions⁴ do not form part of the original dwelling.
10. The Council's evidence on this matter is that the original dwelling had a floor area of about 95.7 m². Consequently, in order to adhere to the Council's 40% guideline, the proposal should not individually or cumulatively increase the floor area of the original dwelling by more than approximately 38.28 m² (40% of 95.7 m²).
 11. The evidence indicates that only the existing utility area, which the appellants say has a floor area of around 11.57 m², formed part of the original dwelling; the garage, dining room and conservatory being later additions. The proposed development would result in a total of approximately 95 m² of new floorspace over two floors. Consequently, after taking into account the floor area of the utility area, which would be demolished, the net increase in the floor area of the original dwelling as a result of the proposed development would be approximately 83.43 m² (95 m² – 11.57 m²); thus more than twice the floor area permitted to adhere to the Council's guidance on this matter.
 12. The appellants contend that the Council's calculation of the floor area of the original dwelling is incorrect. They say that except for the additional permitted⁵ front and rear dormers, which increased the floor area of the roof space by approximately 17.0 m², the existing roof space has not changed from when the house was first built and was utilised as habitable floorspace. In this regard the appellants cite plans that show that there was originally a window in the side elevation of the roof space of the house.
 13. The appellants have not presented me with a figure for the floor area of the original roof space. However, they do refer to the Council's calculation that the existing built additions include approximately 48.8 m² within the roof space. After deducting 17.0 m², as suggested by the appellants, to allow for the increase in floor space resultant from the dormers, the floor area of the roof space of the original dwelling would possibly have been around 31.8 m² (48.8 m² - 17.0 m²). Consequently, the original dwelling may have had a total floor area of approximately 127.5 m² (95.7 m² + 31.8 m²).
 14. If the floor area of the original dwelling was 127.5 m² it would mean that the proposal should not individually or cumulatively increase the floor area by more than approximately 51.0 m² (40% of 127.5 m²). Therefore, even if the Council's calculation of the floor area of the original dwelling is incorrect, the net increase in the floor area of the original dwelling as a result of the proposed development would still be appreciably greater than 40%; the increase would be about 65%. Based purely on this statistical measurement and irrespective of which of the two baseline figures is used for the floor area of the original dwelling, the proposal would lead to a large increase in its size.
 15. There are other approaches to this matter. Compared to the original building the proposal would result in a significant increase in its footprint. No information has been given regarding the change in volume which is another mechanism for quantifying the degree of change between the original building and the one that would result from the proposal.

⁴ Planning application reference numbers: WA/1984/1320 and WA/2002/1918

⁵ Planning application reference number: WA/1984/1320

16. Assessing proportionality is primarily an objective test based on size. On this basis, therefore, comparing the original building to the one that would result if the proposal were to go ahead the outcome would be a disproportionate addition over and above the size of the original building failing to accord with the exception in paragraph 145 c) of the Framework.
17. Notwithstanding the apparent similarities of the proposal to another scheme allowed at appeal⁶ to which I have been referred to by the appellants, for the above reasons, I find that the proposal would amount to inappropriate development in the Green Belt in the terms set out in Policy RE2 of the LPP1 and the Framework. It would also conflict with saved Policy RD2 of the LP.

Openness

18. The Framework advises, in paragraph 133, that openness is an essential characteristic of Green Belts. The openness of the Green Belt has both spatial and visual aspects. Although set back from the access track within a generous plot and mostly visually screened from neighbouring properties by virtue of boundary vegetation, Woodcote House is readily visible from the access track that serves the appeal site and other properties.
19. The evidence indicates that the floorspace to be demolished roughly equates to the proposed floorspace and compared to the existing situation there would be a reduction in the overall footprint and spread of the built form. However, the two storey element of the proposed development would be of greater height than the existing single storey extensions and garage. The increased height, in combination with the resultant width of the property, would result in a built form more substantial in size and with greater bulk compared to the existing situation such that openness would, both visually and spatially, be reduced. Whilst the loss would be limited and localised, it would, nonetheless, have a moderate impact on the openness of the Green Belt.

Any other harm - character and appearance

20. Although the proposed side extension would have a degree of subservience to the host dwelling, I acknowledge that the development would change the appearance of the existing property which is essentially a modest detached chalet bungalow.
21. However, notwithstanding the additional dormer windows and the change in its size and form, the appearance of the resultant dwelling, by virtue of matching materials and roof pitch and overall design characteristics, would still be largely sympathetic to the existing property. Thus, the proposal would not unduly change the character of the host building. Furthermore, notwithstanding that the resultant dwelling would be readily visible from the access track, taking into account the aforementioned design characteristics and set back position of the dwelling within a generous plot, the development would not be significantly harmful to the rural character of the area.
22. Consequently, whilst the proposal would change the appearance of the host dwelling, I do not consider that the resultant property would cause material harm to the character and appearance of the rural area. For the above reasons, I do not therefore find conflict with the character or design aims of

⁶ Reference: APP/R3650/D/16/3160151

Policy TD1 of the LPP1, saved Policies D1, D4 and RD2 of the LP, or the Framework.

Other Considerations

23. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to state, in paragraph 144, that substantial weight is given to any harm to the Green Belt and 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.
24. The evidence refers to potential fallback options in the event that the appeal were to be dismissed, in the form of converting the existing garage to habitable floorspace and constructing a front entrance porch with a reduced height to that shown on the submitted plans under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).
25. It has been put to me that the conversion of the existing garage be given due weight because the appellants are at present constructing a separate garage to the rear of the property under the provisions of the GPDO. However, whilst the existing garage may be capable of being converted to ancillary floorspace, this would not amount to a physical extension to the building.
26. In regard to a front entrance porch, whilst there is some information within the evidence regarding the detail of such permitted development, I have not been presented with any compelling evidence that such development rights are applicable to the property. Moreover, even if such permitted development could be built there can be no guarantee that it would be in the event that the appeal were to be dismissed. In any event, any such front entrance porch would be unlikely to be as substantial as the proposed development now before me taken as a whole and would not, therefore, have a greater impact on the Green Belt than the appeal development.
27. For the above reasons, therefore, I give only limited weight to the potential conversion of the existing garage to habitable floorspace and the construction of a porch as permitted development.

Conclusion

28. The appeal proposal would be inappropriate development in the terms set out in the Framework. This is a matter to which I afford substantial weight in the overall planning balance. In addition, there would be moderate harm caused to the openness of the Green Belt. Whilst there would be no material harm in character and appearance terms as a result of the proposed development, this is a matter of neutral consequence in the planning balance.
29. In conclusion, the aforementioned harm would not be clearly outweighed by the other considerations so as to amount to the very special circumstances required to justify the proposal. Therefore, the appeal should be dismissed.

Andrew Bremford

INSPECTOR