
Appeal Decision

Site visit made on 23 June 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 July 2020

Appeal Ref: APP/Y3615/D/19/3242927

Greenmantle, Lime Grove, West Clandon, Guildford GU4 7UH

- 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 Gareth Sinnett against the decision of Guildford Borough Council.
 - The application Ref 19/P/01474, dated 20 August 2019, was refused by notice dated 11 October 2019.
 - The development proposed is two storey rear, and single storey rear and side extensions, following demolition of existing conservatory and covered area.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Gareth Sinnett against Guildford Borough Council. This application is the subject of a separate Decision.

Main Issues

3. 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; and,
 - The effect of the proposal on the openness of the Green Belt; and,
 - 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 the proposal.

Reasons

Inappropriate development

4. The appeal site is located within the Green Belt. Paragraph 145 of the Framework states that new buildings are inappropriate development in the Green Belt unless they fall within the given list of exceptions. Under section c) of that paragraph an extension of a building would not be inappropriate development provided that it does not result in disproportionate additions over and above the size of the original building. Policy P2 of the Guildford Borough

Local Plan: Strategy and Sites 2015 – 2034 (adopted April 2019) (the Local Plan) is consistent with this.

5. Policy P2 defines the original building as the building as it existed on 1 July 1948 or, if no building existed on 1 July 1948, then the first building as it was originally built after this date. There is no dispute between the main parties that the floor area of the original building was approximately 127 square metres.
6. Neither the Framework or Policy P2 include criteria to indicate what would amount to a disproportionate addition over and above the size of the original building and an element of judgement is therefore required.
7. There is disagreement between the Council and the appellant regarding the floor area of the resultant dwelling. The Council states that it would have a floor area of approximately 301 square metres (not including the garage) and that when combined with previous extensions to the original building the proposed development would result in an increase in floor area of around 137%. The appellant contends that the resultant dwelling would have a floor area of approximately 260 square metres, which would amount to an increase of around 104% above the original building. Even if I were to take the appellant's calculation as a lesser figure, the cumulative increase in floor area over the original building would amount to a substantial increase in size.
8. The proposed development would add significant bulk and scale to the building which would result in disproportionate additions over and above the size of the original building. The proposal therefore constitutes inappropriate development in the Green Belt for the purposes of the Framework and Policy P2 of the Local Plan. Inappropriate development is, by definition, harmful to the Green Belt.

Openness

9. The Framework states that the essential characteristics of Green Belts are their openness and their permanence. The openness of the Green Belt has both spatial and visual aspects.
10. The main bulk of the proposed development would be to the rear of the property and the mature trees to the rear would provide screening and thereby restrict its visual impact on the openness of the Green Belt.
11. Nevertheless, the proposal would add significant bulk and scale to the dwelling and it would therefore have a greater spatial impact on openness. Consequently, notwithstanding the absence of visual intrusion from the public domain, the proposal would cause moderate harm to the openness of the Green Belt.

Other considerations and the Green Belt balance.

12. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal would be inappropriate development in the Green Belt and would also cause moderate harm to its openness. The Framework makes clear in paragraph 144 that substantial weight should be given to such harm.

13. The appellant has referred to the proposed development being the same as a proposal previously granted planning permission by the Council in 2013¹. However, there is no evidence before me to show that the previous approval is extant and therefore it does not represent a fall-back position. Furthermore, the previous approval was granted before the adoption of the current Local Plan in April 2019. Whilst I have taken the previous approval into consideration, I do not consider that it provides justification for overcoming the harm I have identified; a proposal which I have considered on its own planning merits having regard to the current policy framework. Accordingly, this is a matter to which I attach limited weight.
14. The appellant has also drawn my attention to neighbouring planning approvals² at March House and Lyndhurst for various extensions. Nevertheless, full details of those planning approvals are not before me and so I am not aware of the circumstances that led to planning permission being granted. Moreover, the appellant has provided details of a planning permission³ at The Flyde, Lime Grove, however, this is not directly comparable to the appeal scheme because it was not for the extension of a building. In any event, the assessment of development proposals in accordance with Policy P2 of the Local Plan and Chapter 13 of the Framework do not require the character of surrounding properties to be taken into account and planning proposals must be determined on their own individual merits. I therefore attach limited weight to the neighbouring planning permissions.
15. There are no refusal reasons relating to matters such as the effect of the proposal on: the character and appearance of the area; the living conditions of the occupiers of neighbouring properties; or highway safety. However, the absence of harm in these respects weighs neutrally and does not amount to a consideration in support of the appeal.
16. The other considerations identified in support of the scheme do not clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal is therefore contrary to the Framework and Policy P2 of the Local Plan which seek to protect the Green Belt.

Conclusion

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

C Osgathorp

INSPECTOR

¹ Reference 13/P/01830

² As referred to on page 16 of the appellant's appeal statement

³ Reference 14/P/00178