



Appeal Decision

Site visit made on 17 August 2020 by Mariam Noorgat BSc (Hons)

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2020

Appeal Ref: APP/Y3615/D/20/3246100

17 Lenten Close, Peaslake GU5 9RA

- 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 Stonehill against the decision of Guildford Borough Council.
 - The application Ref 19/P/01713 dated 2 October 2019 was refused by notice dated 25 November 2019.
 - The proposed development is a construction of rear conservatory and alterations to boundary wall.
-

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.

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 (Framework) 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

Whether it would be inappropriate development

4. Paragraph 145 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. One exception is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original

dwelling. Policy P2 of Guilford Borough Local Plan: strategy and Sites 2015-2034, Adopted 25th April 2019, states that proposals will be considered in line with the exceptions identified within the Framework.

5. The Council states the proposal would increase the floor area by 11.22m² which would result in a total percentage uplift of 60.3%, inclusive of previous extensions. These figures are generally consistent with the appellant's.
6. I note that the Council's Residential Extensions and Alterations Supplementary Planning Document advises that an assessment of disproportionateness is not just a calculation of footprint and volume. However, floor area does provide an appropriate indication of the size of the proposed development compared to the size of the original dwelling, and the Framework is clear that it is the size of the extension compared to the original building, that leads to a conclusion on its disproportionateness and therefore its inappropriateness in the Green Belt. The excerpts of case law provided by the appellant do not conflict with this. Effects of the proposal on openness, including any visual impact, are considered separately below.
7. On that basis, a 60% increase in floor area would amount to the original building being extended disproportionately. The proposal is therefore considered to be inappropriate development in the Green Belt.

Openness

8. The Framework 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.
9. The proposed development would introduce built form into a part of the site which is currently undeveloped and as such would inevitably affect the spatial openness of the site. However, the visual impact of the proposal is limited as it is not intrusive to surrounding views from beyond the rear garden due to high boundary treatments. As such, the proposal would impact openness to a minimal degree.
10. Overall, the proposal would have a harmful effect, albeit to a limited degree, on openness. These harmful impacts on openness, combined with the inappropriateness of the proposal in principle, carry substantial weight.

Other Considerations

11. 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.
12. Whilst I sympathise with the appellant's need to improve the quality of accommodation and the particular medical conditions of the appellant's children, I have little substantive evidence of these conditions so can give these matters limited weight.
13. The appellant refers to surrounding built form including other domestic extensions. However, these merely indicate that the proposal would not harm the character and appearance of the wider area, including the Area of

Outstanding Natural Beauty and the Area of Great Landscape Value. This would be expected of any development so this carries neutral weight.

14. The appellant states the proposal does not impact on the purpose of the Green Belt as per paragraph 134 of the Framework. However, the proposal has been primarily assessed against the specific exceptions for development within the Green Belt as stated within paragraph 145 of the Framework which reflect the fundamental aim of the Green Belt of keeping land permanently open.

Planning Balance and Conclusion

15. The Framework 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 to its 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.
16. Therefore the proposed development would be contrary to Policy P2 of the Local Plan and the Framework which seek to maintain the essential characteristics, including the openness, of Green Belts.
17. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Mariam Noorgat

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.

Andrew Owen

INSPECTOR