
Appeal Decision

Site visit made on 28 September 2020

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2020

Appeal Ref: APP/R3650/D/20/3257238

Zandra, Combe Lane, Wormley, Godalming GU8 5SX

- 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 Ollie Neaves against the decision of Waverley Borough Council.
 - The application Ref WA/2020/0802, dated 12 May 2020, was refused by notice dated 7 July 2020.
 - The development proposed is a single-storey side extension and loft conversion.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed extension 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 of the proposed extension on the openness of the Green Belt,
 - The effect of the proposal on the character and appearance of the area, 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 very special circumstances to justify it.

Reasons

Inappropriate development

3. The appeal site is within the London Green Belt. The Framework explains that the Government attaches great importance to the Green Belt. Paragraph 133 identifies that the fundamental aim of the Green Belt is to prevent urban sprawl and keep land permanently open. Paragraph 145 establishes that new development would be inappropriate unless it meets a listed exception. Exception (c), relates to "the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original dwelling". Inappropriate development is harmful to the openness of the Green Belt and should only be approved if very special circumstances exist. Substantial weight is to be afforded to any harm.

4. Policy RE2 of the Waverley Local Plan - Part 1 2018 (LP), adopts the national Green Belt exceptions of the Framework. Saved policy RD2 of the Waverley Local Plan – Part 1 2002 (SLP) relates to extensions to dwellings in the countryside and the Green Belt. This policy requires extensions to not be disproportionate additions over and above the size of the original dwelling. It also states that to assess whether an extension would be disproportionate, account is to be taken of the relative increase in floorspace together with the form, bulk and height of the proposal. Furthermore, the Council's guidance for residential extensions identifies that to satisfy policy RD2 it should not exceed 40% of the floorspace of the original dwelling.
5. The proposal would include the addition of a sizeable rear dormer window that would create substantial new floorspace at first floor level. The Council finds that this and the proposed side extension would add 40sqm of floorspace. The proposed floor area, added to the existing conservatory, would result in an increase in floor space of around 55%. The Council has taken the area of the dormer roof as creating new floorspace as this element would extend beyond the existing ridgeline of the dwelling. I have no evidence to indicate that this would be an inconsistent approach to the assessment of this type of development. This is therefore a reasonable application of the policy.
6. The proposal would be a significant addition to the existing dwelling. This would substantially increase its floor area and mass. Although the proposal would partly include internal loft space, the proposed development and the previous extension, would in combination amount to a disproportionate addition to the original dwelling.
7. As such, and in consideration of policy RE2 of the LP, RD2 of the SLP and the Council's guide for residential extensions, the proposal would be a disproportionate addition and hence inappropriate development. Consequently, the proposal would also not accord with paragraph 145 of the Framework, exceeding exception (c).

Openness

8. The courts have ruled that the openness of the Green Belt has both spatial and visual dimensions. The proposal would result in a considerable increase in volume to the existing bungalow. It would be visible from the frontage through the side passage. It would also be clearly visible from rear views, due to the absence of substantive boundary landscaping, from both the garage courtyard and Westway Close beyond. Consequently, views of intrusive elements of the proposal would be clearly visible from Coombe Lane and Westway Close to the side. The proposed side extension and dormer window would add considerable bulk to the dwelling having a substantial spatial impact on the Green Belt. However, it would be partly screened from long views and would be most visible from semi-private areas, reducing its visual impact. Consequently, the proposal would result in moderate harm to the openness of the site and the surrounding Green Belt. This harm is in addition to the harm already identified of being inappropriate development within the Green Belt.

Character and appearance

9. The appeal site is within a small cluster of residential development within the open countryside. The group consists of a range of house types including one and two-storey dwellings. The dwellings largely consist of brick and tile

materials and collectively result in streetscene of complementary forms. The site itself contains a semi-detached bungalow with a rear garden that leads out to a shared parking courtyard. The dwelling has a conservatory to the rear. It is a traditional form of building with a tall sloping roof and gable end to the side elevation. The rear is relatively visible to the wider area due to the garage courtyard and in views from neighbouring gardens. The site makes a positive contribution to the character and appearance of the area.

10. The proposed dormer would occupy the majority of the rear roof plane. It would consist of a wide elevation and a large flat roof. This would have the characteristics of a two-storey flat roofed building with limited articulation or relief. This would therefore represent a bulky addition to the dwelling. Furthermore, due to its semi-public vantage to the rear it would be in a relatively prominent location. Although recognising the existing dormer to the rear of Tweenways, the proposal would nevertheless be out of keeping with the prevailing character of the surrounding area. As a result, the proposal would be of substantial harm to the character and appearance of the local area.
11. The proposal would therefore fail to satisfy policy TD1 of the LP. This seeks, amongst other things, for new development to be of a high-quality design and to respond to the distinctive local character of an area. The proposal would also not accord with saved policies D1 and D4 of the SLP. These include seeking to resist development that would harm the visual character and distinctiveness of a locality and for development to integrate well with the site. The proposal would also not satisfy the Council's guidance for residential extensions that seeks dormer windows to minimise the effect of its bulk and to resist those that would be flat roofed.

Other considerations

12. A large dormer window is located to the rear roof-plane of the nearby dwelling of Tweenways. This dwelling also recently gained planning permission for a small addition to the dormer window. The evidence indicates that due to the existing dormer window the dwelling had already exceeded the Council's 40% guide. However, in regard to the recent decision the Council considered that the addition would not be a disproportionate addition on its own. Although, each case must be considered on its own merits, consistency in decision making is important in the interests of natural justice and to maintain confidence in the planning system. However, it seems likely that the original dormer window was constructed before the Council adopted its current residential guidelines. There is no evidence to indicate a contrary position. It is therefore unconvincing that the existing dormer window was approved in the same policy context. This matter is therefore of limited weight in favour of the proposal.

Whether there would be Very Special Circumstances

13. Paragraphs 143 and 144 of the Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

14. I have concluded that the appeal scheme would be inappropriate development that would, by definition, harm the Green Belt. I have also concluded that the proposal would result in moderate harm to the openness of the Green Belt and would be harmful to the character and appearance of the area. Paragraph 144 of the Framework requires substantial weight to be given to any harm to the Green Belt.
15. I have taken account of the other considerations put forward in support of the scheme. As the appeal proposal would be relatively small scale, these matters would weigh moderately in favour of the proposed scheme. However, these considerations are to be weighed against the great weight attributed to the harm caused to the Green Belt. Consequently, these other considerations do not clearly outweigh the substantial harm to the Green Belt. As a result, the very special circumstances that are required to permit the development do not exist. Accordingly, the proposal fails to adhere to the local and national Green Belt policies I have already outlined.

Conclusion

16. For the above reasons, the appeal is dismissed.

Ben Plenty

INSPECTOR