

Appeal Decision

Site visit made on 30 September 2020

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2020

Appeal Ref: APP/Y3615/W/20/3246066

Crendon, Broadfield Road, Peaslake, GU5 9RD

- 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 Matthew Bacon against the decision of Guildford Borough Council.
 - The application Ref 19/P/01638, dated 19 September 2019, was refused by notice dated 5 November 2019.
 - The development proposed is the addition of covered porch, changes to fenestration and replacement double garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The Council is satisfied that the proposed covered porch to the existing dwelling would not constitute inappropriate development in the Green Belt. They also consider that it would not detract from the character of either the existing property or the surrounding area. I have no reason to disagree with these findings. The main issues are therefore:
 - Whether the proposed replacement garage 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 proposal on the openness of the Green Belt; and
 - If it is 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 development.

Reasons

3. The appeal relates to a detached property located outside of any defined settlement boundary and within the Green Belt, the Surrey Hills Area of

Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV).

Whether the proposal would be inappropriate development in the Green Belt

4. 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. Paragraph 145 states, amongst other things, that the replacement of a building is not inappropriate in the Green Belt provided the new building is in the same use and not materially larger than the one it replaces. Such a judgement in the first instance is separate to any consideration of the impact from any development upon openness of the Green Belt.
5. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034, adopted in 2019 (GBLP) states that the Green Belt will be protected against inappropriate development in accordance with the Framework. Part (b) to Policy P2 states that a new building will only constitute a "replacement" if it is sited on or in a position that substantially overlaps that of the original building, unless it can be clearly demonstrated that an alternative position would not increase the overall impact on the openness of the Green Belt.
6. There is no dispute that the proposed building would be in the same use as the building it would replace nor that its position would substantially overlap with the existing.
7. The existing building sits to the side of the dwelling and has a low profile and narrow width. The Council has presented a table of measurements comparing existing dimensions with proposed. They show that the proposed building would increase the size of the existing in every dimension, significantly so in terms of its maximum:- height from 3.0m to 4.85m (61.7% increase); width from 3.2m to 6.0m (87.5% increase); and floor area from 19.52sqm to 50.0sqm (156.1% increase). These figures have not been disputed by the appellant.
8. In my opinion, the size increase in terms of external dimensions, floorspace, and overall volume, would be substantial. When also considering the visual scale and bulk of the existing building with that proposed, I find that the new building would be materially larger than the existing. The proposal would therefore amount to inappropriate development in the Green Belt for the purpose of the Framework and development plan policy. By definition this is harmful to the Green Belt and I attach substantial weight to this harm.

The effect of the proposal on the openness of the Green Belt

9. The Framework states that an essential characteristic of Green Belts is their openness and that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land within them permanently open.
10. The proposal would result in a building of larger bulk and encroachment of built form beyond the footprint of the existing. As such, there would be some loss of openness to the Green Belt. Although the degree of this loss would be minimal, this must be regarded as some additional harm, even if only slight, to add to the harm by reason of inappropriateness.

Other Matters

11. The appellant has drawn my attention to similar garage buildings at nearby properties Broadfield and Dallington, understood to have both been granted planning permission in 2018 and 2012 respectively. I saw that these structures are openly visible from Broadfield Road and I do not disagree with the appellant's assertion that the visual presence of each is likely to be greater than the proposed building due to the existing vegetation at Crendon and the position of the appeal site at the end of a short stretch of no-through road. For these reasons, the proposal would be acceptable in its setting and I agree with the Council that it would not result in any harm to either the AONB or AGLV.
12. However, the presence of these other two examples does not lend weight in favour of the appeal proposal. I do not have any detailed knowledge of the background to either of the cases at Broadfield or Dallington. From the plans that have been put to me I am unable to conclude whether in either case the replacement buildings were found to be materially larger than the ones they replaced. Neither am I aware if there were other issues considered by the Council at the time the planning applications were determined that weighed in the overall balance of the decisions. Similarly, I do not know the planning history to any other garage structures within the village. In any event, I have considered the appeal based on its own merits.
13. I saw a timber shed to the front of the dwelling that is identified on the application drawings as an additional outbuilding that could be demolished if necessary. I have no specific details of the building's dimensions, but I saw it to be only a very modest structure and I am not persuaded that its removal would offer any meaningful benefit to the openness of the Green Belt that would compensate for the increase in size to the existing structure that is proposed.

Conclusions

14. I have found the proposal to be inappropriate development for the reasons identified. This amounts to substantial weight against the proposal. In addition, I have found that it would prejudice the openness of the Green Belt to a degree. Although the garage would be well designed, without harm to the character or appearance of the area, these factors are neutral and attribute no weight for or against the proposal.
15. I appreciate that the existing building is in a reasonably poor condition but neither that nor any of the other considerations that have been put to me carry sufficient weight to clearly outweigh the harms that I have identified. The very special circumstances necessary to justify the development do not exist. Accordingly, the appeal is dismissed.

John D Allan

INSPECTOR