
Appeal Decision

Site visit made on 12 November 2020

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 25 November 2020

Appeal Ref: APP/R3650/D/19/3243357

Bermonde, Hambledon Road, Hambledon, Godalming GU8 4DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Haynes against the decision of Waverley Borough Council.
 - The application Ref WA/2019/1709, dated 8 October 2019, was refused by notice dated 2 December 2019.
 - The development proposed is described as erection of extensions and alterations following demolition of existing extensions; installation of solar panels on the roof and a swimming pool.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the Council's description of development in the banner heading above, as this is more precise than that provided on the application form.

Main Issues

3. The main issues are:
 - whether the development would be inappropriate development in the Metropolitan Green Belt (the Green Belt);
 - the effect of the development on the openness of the Green Belt;
 - the effect of the development on an Area of Great Landscape Value (AGLV); and
 - if the development is inappropriate, whether 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 it.

Reasons

Whether the Development is Inappropriate

4. Paragraph 145 of the National Planning Policy Framework (the Framework) states that the construction of new buildings should be regarded as inappropriate in the Green Belt. Exceptions include the extension or alteration of a building, provided that it does not result in disproportionate additions over

and above the size of the original building. The Framework Glossary defines an original building with reference to a baseline date of 1 July 1948.

5. Saved Policy RD2 of the Waverley Borough Council Local Plan 2002 (the LP), similarly seeks to restrict disproportionate additions. However, the baseline date of 31st December 1968 set out in the supporting text is inconsistent with that set out in the Framework. In this regard more recently adopted Policy RE2 of the Local Plan Part 1: Strategic Policies and Sites 2018 (the LP1), which generally seeks to protect the Green Belt from inappropriate development, defers to the Framework. That being so, I have assessed this matter in favour of Policy RE2, and thus the definition set out within the Framework
6. The date the dwelling was built is unclear. However, the parties appear agreed that its original floorspace, minus that of the garage, was 161m², and that the floorspace as a result of the development would be 326.8m². The garage, the link between it and the dwelling, and a 2-storey 1970s extension, all represent previous additions. Howsoever their floorspace is quantified, on the basis of the above figures, the cumulative increase in floorspace would be more than 100% that of the original building. Notwithstanding the lack of any detailed information relating to volume or mass, it is clearly apparent therefore that the development would entail disproportionate additions over and above the size of the original building.
7. The proposed swimming pool would be located within the garden and would have no physical presence above ground level. Whilst both parties have sought to assess the pool against paragraph 145(b) of the Framework, all subsections of paragraph 145 relate to the construction of new buildings. Therefore, it is not applicable. Insofar as paragraph 146 of the Framework sets out other forms of development for which exceptions exist, these do not include the provision of swimming pools. The provision of a swimming pool would therefore also be inappropriate in the Green Belt.
8. The installation of solar panels on the roof of the dwelling would, in my view, form a component of the broader remodelling and enlargement of the dwelling. That being so I have not considered it separately. I note that the Council did likewise.
9. For the reasons outlined above I conclude that the development would be inappropriate in the Green Belt. It would therefore conflict with Policy RE2 of the LP1 as set out above. Inappropriate development is by definition harmful to the Green Belt, and in view of paragraph 144 of the Framework, this attracts substantial weight.

Openness

10. The proposed enlargement of the dwelling would entail the addition of built form where none existed previously. This would consolidate and expand the 2-storey core of the existing dwelling, markedly increasing its size as expressed in terms of bulk, mass and physical presence.
11. The dwelling is partially screened by trees and other vegetation. However, this screening is subject to seasonal variation. Greater exposure therefore occurs during autumn and winter both within the landscape north of the site, and potentially also to the school towards the east. The dwelling is otherwise exposed year-round to the shared driveway towards the south. The increased

bulk, mass and physical presence of the building would thus be visually appreciable from both inside and outside the site.

12. In both spatial and visual terms therefore, the enlargement of the dwelling would erode the openness of the Green Belt. The adverse effects would be modest in nature.
13. With recontouring, the surface of the swimming pool would sit flush with the surrounding land. Though the volume of space occupied by the pool would lie wholly below ground level, the pool would nonetheless occupy an area of space at the surface. In this regard visual perception of the pool would be informed by a combination of its surface area, its visible volume, and its constructed character, within which context it would be unmistakably perceived as domestic development occupying the space within which it would be built.
14. It is unlikely that terrestrial views of the pool would extend much further than its immediate setting. The spatial and visual harm caused to the openness of the Green Belt would thus be limited. Taking the development as a whole, this would nonetheless compound the adverse effects caused by enlargement of the dwelling.
15. For the reasons outlined above I conclude that the development would cause moderate harm to the openness of the Green Belt, conflicting with the purpose served by the Green Belt of safeguarding the countryside from encroachment. In view of paragraph 144 of the Framework, I attach substantial weight to the harm that would be caused.

Landscape

16. The site is located within the AGLV, which is designated for its landscape value. Policy RE3 of the LP1 defines this as a 'buffer' to the Surrey Hills Area of Outstanding Natural Beauty, that will be retained for its own sake. In this regard, paragraph 170 of the Framework states that decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Policy RE3 is broadly consistent with this objective.
17. The appeal site is located on raised ground abutting the open landscape. As outlined above, notwithstanding seasonal screening, the scheme would entail an increase in the bulk, mass and physical presence of the dwelling, causing a perceptible loss of openness, and an increase in the prominence of the dwelling. Insofar as this would conflict with the Green Belt's purpose of safeguarding the countryside from encroachment, it logically follows that the intensification of development at the site would also harm the intrinsic character and beauty of the countryside. Indeed, within this context openness, and the absence of development, are also important attributes. The harm caused would again be moderate in nature.
18. For the reasons outlined above I conclude that the development would cause moderate harm to the AGLV. It would therefore conflict with Policy RE3 of the LP1, as outlined above; and saved Policies D1 and D4 of the LP which similarly seek to secure development that visually integrates with its surroundings. Policy TD1 of the LP1 was also cited by the Council, however as this specifically relates to 'townscape' design, its direct relevance is unclear. I attach moderate weight to the harm that would be caused to the AGLV.

Other Considerations

19. Two single-storey extensions, comprised of 3 elements, could be added to the dwelling as permitted development (the PD scheme). I have been provided with no detailed measurements, however, not counting the space taken by the pool, it appears that the PD scheme would add a marginally greater amount of floorspace than the proposed scheme, and would extend across a larger area.
20. Comparative volume is unclear, however, as the extensions within the PD scheme would be single storey in height, and largely offset from the existing 2-storey core of the dwelling, they would not increase its bulk, mass and physical presence in the same way, or to the same extent, as the proposed scheme. Indeed, notwithstanding the greater building footprint of the PD scheme, massing would be well broken, producing a less bulky built form, whose physical presence and visually apparency would be far less than that of the proposed development. Consequently, the latter would not have a 'more acceptable' effect on the openness of the Green Belt, or the purposes of including land within the Green Belt, than the PD scheme. The same would also be true in relation to the AGLV.
21. The parties further dispute whether the PD scheme in fact represents a realistic fallback. Though it has been presented as an 'alternative', its exceedingly disjointed internal and external composition implies that it chiefly functions to demonstrate the potential of permitted development. This is indeed the way in which it has been deployed. A skeleton quote from a builder has been provided, and a rough trench has been dug defining the outline of the rear extension. However, neither, in my view, demonstrates any convincing commitment to implement the PD scheme. In any case, and in view of my findings above, even if the PD scheme was in fact to be implemented, its effects on the openness of the Green Belt would not be 'less acceptable' than those of the proposed scheme.
22. The overall design of the proposed development would be more coherent than that of the PD scheme. In this regard however, the PD scheme's lack of coherence contributes to the above doubts that it would actually be implemented. For this and the above reasons, I attach little weight to the existence of the PD scheme.
23. My attention has been drawn to an appeal decision relating to Corner Cottage within the same Council area. I have not been provided with full details of the case. However, aside from the fact that the locations differ, the scheme in question did not involve a building enlargement that was found to be disproportionate, or therefore inappropriate within the Green Belt. Given that the case therefore differs significantly from the current appeal, it does not alter my findings above.
24. In conclusion, the other considerations advanced in favour of the scheme attract limited weight.

Planning Balance and Conclusion

25. I have found that the scheme would constitute inappropriate development within, and cause moderate harm to the openness of, the Green Belt. I have attached substantial weight to the harm that would be caused. In addition, I

have attached moderate weight to the harm that would be caused by the development to the AGLV.

26. In this case, the combined weight of the harm identified would not be clearly outweighed by the limited weight of the other considerations advanced in favour of the scheme. These other considerations are therefore insufficient to demonstrate the existence of very special circumstances necessary to justify approval of the appeal scheme.
27. The scheme would conflict with the development plan, and there are no considerations which indicate that my decision should be made other than in accordance. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR