



Appeal Decision

Site visit made on 8 March 2022 by Thomas Courtney BA(Hons) MA

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2022

Appeal Ref: APP/Y3615/D/21/3279999

Lea Cottage, Hook Lane, Shere, GU5 9QQ

- 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 S. Kennedy against the decision of Guildford Borough Council.
 - The application Ref 20/P/02196, dated 21 December 2020, was refused by notice dated 5 July 2021.
 - The development proposed is the extension of existing house following demolition of existing extensions and outbuildings at Lea Cottage.
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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.

Procedural Matter

3. In the interest of accuracy, the description of development in the header above is based on the Council's decision notice.
4. The Council referred to the now superseded National Planning Policy Framework (NPPF 2019) and, in particular, the provisions of paragraph 145 of the NPPF 2019. The main thrust of the provisions outlined in paragraph 145 of the superseded version are comparable to the provisions now outlined within paragraph 149 of the more recent iteration of the NPPF (2021). I am satisfied therefore that the issues at hand in this appeal are not affected by the policy change and that neither party would be prejudiced by my reference to the more recent NPPF (2021).

Main Issues

5. The main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt for the purposes of the NPPF and development plan policy;
 - The effect of the proposal on the openness of the Green Belt;
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- 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 the development would be inappropriate development

6. The appeal property comprises a vacant detached two-storey dwelling connected to a two-storey annex by a single-storey link extension. It is located on the southern side of Hooks Lane within a small grouping of dispersed residential dwellings and farm buildings in the Green Belt. The property is L-shaped and features a pitched roof and two distinctive chimneys. The attached annexe also has a pitched roof which stands at a lower height than the roof ridge of the main house. On my site visit I observed a number of sheds and outbuildings scattered within the north-eastern corner of the site and along the eastern boundary abutting the neighbouring Burrows Lea Farm.
7. Paragraph 149 of the NPPF states that new development is inappropriate in the Green Belt unless it falls within the given list of exceptions. Policy P2 of the *Guildford Borough Local Plan: Strategy and Sites 2019* (LPSS) is consistent with this in that it gives a list of forms of development that are not inappropriate. Exception (c) addresses 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. Having regard to extensions to buildings, Policy P2 of the Local Plan states that the “original building” shall mean the building as it existed on 1 July 1948, which is consistent with the definition set out within Annex 2 of the NPPF. Another exception outlined in paragraph 149(g) is the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
8. The appellant contends that the development meets exception (g) rather than exception (c) of paragraph 149 because the proposal includes the removal of the redundant ancillary buildings scattered around the plot. The appellant argues this would reduce the amount of built form within the site and improve the openness of the Green Belt. To support this, the appellant has provided figures demonstrating that the proposal would result in a total decrease of floor area within the site of 18.84% as well as an 8.56% decrease in total volume.
9. I acknowledge that a considerable number of outbuildings would be demolished as part of the proposal. However, in considering the exceptions set out at paragraph 149 of the NPPF, the proposed works of construction quite evidently relate solely to extensions to the main house, with the central aim of the proposal to redevelop and extend the host dwelling. I find that in applying the literal meaning of the description of development relating to the new development, exception (c) outlined in paragraph 149 of the NPPF can be the only reasonable applicable exception of relevance to the scheme as it explicitly refers to the alteration and extension of a dwelling. As the proposed car port would be located in close proximity and would be clearly incidental to the main dwelling, it would also be reasonably considered as an extension for the purposes of this assessment.

10. The Council states that the proposed extensions and alterations, combined with previous extensions, would represent a 352% increase in floorspace over the original building. Whilst the development plan does not refer to a defined way of assessing and measuring proportionality, national guidance does provide some guidance on measuring 'proportionality'. The NPPF refers to 'size' which can, in my view, refer to volume, height, external dimensions, footprint, floorspace or visual perception.
11. The proposed uplift in floorspace would be significant with the resultant gross external area (GEA) increasing dramatically from an existing 250 sqm to 375sqm as proposed, but from an original floorspace indicated by the Council to be 83 sqm, albeit that I note this figure was revised to 119 sqm in the assessment of the recently approved 2021 scheme. An increase in floorspace of this scale would not be considered to be proportionate in the context of the size of the original dwelling, and furthermore, the ridge height of the eastern half of the roof would be raised and the increase in built form at first floor level of the dwelling would result in greater visual bulk. Although the appellant considers that the total floorspace and volume of built form would decrease within the site, the considerable expansion of roofscape would be excessive and the resultant building would appear significantly larger in volume. Therefore, I find that the scale of the alterations and extensions would subsume the original dwelling and would therefore appear to be disproportionate.
12. On the basis that the proposed extensions would result in disproportionate additions over and above the size of the original dwelling, I therefore find the proposal would be inappropriate development in the Green Belt and would conflict with Paragraph 149(c) of the NPPF, as detailed above, and Policy P2 of the LPSS which seeks to resist inappropriate development in the Green Belt.

Openness

13. Openness is identified in the NPPF as one of the Green Belt's essential characteristics. The additional bulk, height and mass as a result of the extensions would materially impact on openness in a spatial aspect resulting in some limited harm to the Green Belt. Furthermore, the significant increase in floorspace and the volume of roofscape means the proposal would also have a greater visual impact on the openness of the Green Belt. Although this impact must be balanced against the indicated removal of sheds and outbuildings within the site, the resultant bulky and substantial dwelling would be readily visible from Hook Lane as well from the open countryside to the southwest. For these reasons, the proposed development would result in an adverse impact on both the spatial and visual openness of the Green Belt.

Other considerations

14. The NPPF highlights that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, with substantial weight given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
15. In this regard, the appellant states that the resultant property is well-designed and the proposal would allow for the removal of several outbuildings which would thus result in an increase in openness within the site.

16. I recognise that the removal of the outbuildings would bring visual improvements to the street scene and would provide some balance in terms of the impact on openness, attracting some limited weight in support of the proposed development as a consequence. Nevertheless, the resultant main dwelling would appear excessively bulky and considerably larger in volume than the existing dwelling. I am not convinced that the clearing of the outbuildings, which are mostly low-lying single storey timber-framed buildings, would offset the proposed increase in size of the host property and its adverse impact on the openness of the Green Belt. In any event, no mechanism to secure their permanent removal has been suggested by the appellant as a means of securing the contended benefit, albeit that I recognise for the reasons set out, that this in itself has not been decisive in considering this matter.
17. My attention has been drawn to the fact that planning permission was granted in November 2021 for a smaller scheme (reference no. 21/P/01859) at the site. However, that the approved scheme is overall smaller than the appeal proposal lends no weight in support of the current proposed development, which I have concluded would have an adverse impact on the Green Belt.
18. I sympathise with the appellant with regards to delays and communication issues with the Council however this has not had a bearing on the planning merits of my decision.

Planning Balance and Overall Conclusion

19. I consider that the development causes harm to the Green Belt by way of its inappropriateness and to its openness, and substantial weight must be given cumulatively to this harm. The weight attributed to the other considerations in this case is limited and does not outweigh the substantial harm I have identified. I conclude therefore there are no very special circumstances to justify the development.

Recommendation

20. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

21. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR