The Planning Inspectorate

Appeal Decision

Site visit made on 3 May 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: 08 August 2022

Appeal Ref: APP/Y3615/D/21/3281506
4 Lime Close, West Clandon GU4 7UL

- 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 G. Pashley against the decision of Guildford Borough Council.
- The application Ref 21/P/01049, dated 10 May 2021, was refused by notice dated 13 July 2021.
- The development proposed is the construction of two storey rear extension.

Decision

1. The appeal is allowed and planning permission is granted for the construction of a two storey rear extension at 4 Lime Close, West Clandon, GU4 7UL, in accordance with the terms of the application Ref 21/P/01049, dated 10 May 2021, subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision.

   2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

   3) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos. 20-05-51 P0, 20-05-52 P0, 20-05-53 P0, 20-05-54 P0, 20-05-55 P0 and 20-05-56 P0.

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. The Council referred to the now superseded National Planning Policy Framework (NPPF 2019) and, in particular, the provisions of paragraph 145 of the NPPF 2019. The main thrust of the provisions outlined in paragraph 145 of the superseded version are comparable to the provisions now outlined within paragraph 149 of the more recent iteration of the NPPF (2021).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

4. 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;
   - The effect of the development on the character and appearance of the area; 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 the development would be inappropriate development

5. The appeal property comprises a detached two-storey dwelling situated at the end of a cul-de-sac and located in an established residential area within the Green Belt.

6. 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.

7. The Council states that the proposed extension, combined with previous extensions, would represent a 76.1% increase in external floor area 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.

8. The proposed uplift in floorspace would be significant with the resultant external floor area increasing from an existing 223.89 sqm to 271sqm as proposed, but from an original floorspace indicated by the Council to be 153.88 sqm. 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 increase in roofscape and built form at first floor level of the dwelling would result in greater visual bulk. Therefore, I conclude that the scale of the extension, taken in combination with previous extensions, would represent a disproportionate addition over and above the size of the original building.

9. On this basis, 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

10. Openness is identified in the NPPF as one of the Green Belt's essential characteristics. The additional bulk and volume as a result of the two-storey extension would materially impact on openness in a spatial aspect resulting in some limited harm to the Green Belt.

11. Furthermore, the considerable increase in floorspace, first-floor bulk and the volume of roofscape means the proposal would also have a greater visual impact on the openness of the Green Belt. However, as the development would be located to the rear of the property, it would not feature prominently in the streetscene. I also note that the rear boundary of the appeal site is heavily screened with mature vegetation. As a consequence, the development would not be easily visible to the occupiers of neighbouring properties on Lime Grove to the north of the site. The side boundaries, on the other hand, are quite open and therefore the development would be visible to adjacent occupiers on Lime Close. For these reasons, the proposed development would result in an adverse impact on both the spatial and visual openness of the Green Belt. As the site is relatively well-screened, however, it is considered that this impact would result in limited harm to the Green Belt.

Character and appearance

12. The appeal property is relatively large and features a hipped roof, an existing part two-storey part single storey rear extension and is finished with facing brickwork and hanging plain clay tiles. The surrounding area is suburban in character with Lime Close featuring mostly large detached two-storey properties set within spacious plots.

13. Whilst the Council has expressed concern regarding the scale of the extensions, stating the proposal would result in a top-heavy development, I find it would sufficiently harmonise with the host dwelling. The proposed extension would not appear excessively large despite the considerable uplift in floor area in light of the fact that the depth of the extension would not project beyond the existing rear elevation and its width would be contained within the existing width of the dwelling.

14. Furthermore, the proposed roof profile would match the existing roof and would not appear unacceptably bulky or dominant. The development would be finished with sympathetic materials and would integrate well with the overall architectural form of the property. As mentioned above, the development would not feature prominently in the streetscene and therefore its visual impact would be very limited. In any case, the proportions of the resultant dwelling would be well-balanced, and it is not considered that the extension would be read as an incongruous addition given the fact that there are large properties in the direct vicinity of the appeal site. The resultant dwelling would thus not appear out-of-scale with the surrounding built form.

15. Given the above, the proposed development would not have an adverse impact on the character and appearance of the host dwelling and surrounding area. It

would not conflict with Policy D1 of the LPSS, Saved Policy G5 of the Guildford Borough Local Plan (2003), the NPPF and the 'Residential Extensions and Alterations' Supplementary Planning Document (SPD) which together seek to ensure proposals are well-designed and do not harm their surrounding contexts.

Other considerations

16. 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.

17. In this regard, the appellant has drawn my attention to a fallback position through the Permitted Development process emphasising that extensions to the main dwelling could be erected under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), as well as under Classes E, AA, and under Schedule 2, Part 20, Class AD. Of particular relevance is the fact that the appeal property benefits from a prior approval notice (ref. 21/W/00011) granted in compliance with Schedule 2, Part 1, Class A of the GPDO for an 8-metre single storey rear extension granted in March 2021.

18. The appellant opines that the two-storey extension as proposed would be more in-keeping with the host dwelling than the approved single storey extension. I note that the two schemes would have comparable floor areas and broadly similar volumes and although the Council correctly highlights that the prior approval scheme would lead to a smaller increase in added bulk and volume, it would have a larger footprint and would extend outward from the rear of the property by a significant amount. It would introduce new built form in an open and undeveloped area of the garden whilst the proposed development would only possess a depth of 4 metres.

19. I appreciate the fact that the proposed development would add built form at first floor level and introduce limited additional volume in the roofscape. However, and as I have already concluded in the assessment of character and appearance, it would provide a more harmonious design solution with the appeal property, respecting its general proportions and architectural form. On the other hand, the fallback scheme would appear excessively elongated and feature an extensive and undue amount of flat roof. In this regard, the appeal scheme represents a clearly preferable design solution in the context of the host building, with the fallback scheme representing an inferior design in contrast to the proposed development.

20. The Courts have held that in considering the concept of a fall-back development as a material consideration, there should be a "real prospect" of it being implemented, and not just a theoretical possibility that the development might take place. In this regard, I find that despite the clear preference in design-terms for the appeal scheme, there is no clear evidence to support a conclusion that the fallback scheme would not be implemented in the event that the appeal was dismissed. I am satisfied that there is a real prospect of the fallback development taking place and I attach very substantial weight to this consideration.

21. I have had regard to concerns raised regarding the impact of the proposal on the living conditions of the occupants of the neighbouring property at No. 3 Lime Close. I concur with the Council in that there would be a sufficient amount of separation distance between the development and the common boundary to mitigate any harmful impacts.

Planning Balance and Overall Conclusion

22. I consider that the development causes harm to the Green Belt by way of its inappropriateness and limited harm to its openness, and substantial weight must be given cumulatively to this harm. However, I have found that it would not have an adverse impact on the character and appearance of the host dwelling and surrounding area. Additionally, I have taken into account the impact of the permitted development fallback position, to which I have attached very substantial weight. On balance, the weight attributed to the other considerations in this case is very substantial and clearly outweighs the harm I have identified. I conclude therefore there are very special circumstances to justify the development.

Conditions

23. I have considered the Council's suggested conditions against the advice on conditions set out in the NPPF and the Planning Practice Guidance. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty.

24. I have also imposed a condition requiring the materials to be used in the construction of the external surfaces of the development match those used in the existing building in order to protect the character and appearance of the host dwelling and surrounding area.

Recommendation

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

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

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

Martin Seaton

INSPECTOR