



Appeal Decision

Site visit made on 29 November 2022

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2022

Appeal Ref: APP/R3650/D/21/3289244

Oriel Cottage, Long Common, Shamley Green, Guildford GU5 0TG

- 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 John Beechey against the decision of Waverley Borough Council.
 - The application Ref WA/2021/01383, dated 25 March 2021, was refused by notice dated 7 October 2021.
 - The development proposed is the part demolition of unlisted barn to facilitate, single storey oak framed kitchen extension of similar area.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey extension and part demolition of unlisted barn at Oriel Cottage, Long Common, Shamley Green, Guildford GU5 0TG in accordance with the terms of the application, Ref WA/2021/01383, dated 25 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: AR00, AR01, AR02, AR03, AR04, AR05, AR06, AR07 and AR08.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Preliminary Matters

2. The description of development in the banner heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has changed, and a different wording has been entered. I have been provided with written confirmation that the revised description of development has been agreed. Accordingly, in my decision I have used the amended and agreed description.
3. Oriel Cottage is a Grade II Listed Building. As such, I have a statutory duty under Section 66(1) of the Act to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest. The adjacent barn has the appearance of an older barn but was relocated to the site in the 1980s, it is not curtilage listed

and does not contribute to the significance of the listed building. The demolition of the small side wing on the barn will not harm the listed building or its setting as confirmed in the approved Listed Building Consent¹.

4. During the course of the appeal and without prejudice to my decision I sought further comments from the parties on conditions relating to details of the materials. I have had regard to the comments received from the parties in my determination of the appeal.

Main Issue

5. The main issue is whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework 2021 (the Framework) and any relevant development plan policies.

Reasons

Whether or not the development would be inappropriate

6. The Government attaches great importance to Green Belts with the essential characteristics of Green Belts as their openness and their permanence. Paragraph 145 of the Framework states that the construction of new buildings in the Green Belt is inappropriate development and then specifies exceptions. The relevant one here is criterion c) 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 parties agree that this is the relevant exception, and I have no substantive evidence to disagree with that approach.
7. Policy RE2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites, adopted February 2018 (SPS) states that the Metropolitan Green Belt will be protected against inappropriate development unless very special circumstances exist. The Council has also referenced Saved Policy RD2 of the Waverley Borough Council Local Plan 2002, adopted April 2002 (WLP) which further highlights that extensions to dwellings outside settlement boundaries should not result in disproportionate additions to the original dwelling. In this regard they are broadly consistent with the approach of the Framework.
8. In determining what constitutes a disproportionate addition, WLP Policy RD2, states account will be taken of the relative increase in floorspace together with the form, bulk and height of the proposal in comparison to the original dwelling. The Council highlight that a calculation of external floorspace that exceeds 40% of the original dwelling would be the decisive mathematical factor in assessing 'disproportionate', rather than a volume assessment. However, the Framework refers to 'size' which incorporates increase in terms of volume and external dimensions.
9. The appeal site is a substantial plot within which are three isolated buildings consisting of the main residence (Oriel Cottage), an ancillary barn and a garage, the site also includes a hard surfaced tennis court linked by a private driveway set within a relatively rural location. The host property despite being a designated heritage asset has been subject to several extensions overtime including three separate single storey extensions in the 1950's. The proposal seeks to add a small single-storey extension to the host property and the

¹ Waverley Borough Council Planning Ref: WA/2021/01397

demolition of an existing side wing of the barn. The site is set back from the road and is well screened from public land.

10. Both parties agree that the proposal combined with the existing extensions would exceed the 40% floorspace of the original dwelling. The Council contends the cumulative increase of all the extensions, including the proposal, would amount to 71%, a substantial increase from the original dwellinghouse. However, despite the arithmetic assessment there is little analysis regarding the increase in size of the proposal in comparison to the original dwelling as stipulated in WLP Policy RD2.
11. In terms of the increase in size the proposal would provide a single storey infill extension at the ground floor, of approximately 17m² between the original dwelling and the existing extension. The new extension would not project beyond the main front, side or rear walls of the existing building. Furthermore, given the appeal proposal would not exceed the eaves and ridge height of the original building, the scheme would be relatively modest rather than result in a disproportionate increase in the bulk and mass of the property.
12. Consequently, I am satisfied that the proposed extension would complement the existing structure in a manner that would not be disproportionate to the original dwelling. Therefore, I conclude that the proposal would not be inappropriate development in the Green Belt in accordance with the Framework, SPS Policy RE2 and WLP Policy RD2.
13. In terms of effect on openness I have concluded that the proposal would not be inappropriate development. In accordance with established case law² it should not be regarded as harmful either to openness of the Green Belt or to the purposes of including land in the Green Belt. Because of my findings it is also not necessary to consider whether very special circumstances exist.

Other Matters

14. Oriel Cottage is a Grade II Listed Building. Its significance primarily relates in its architectural and historic interest as a building of significant age which retains clear indications of its historic development and demonstrates the vernacular traditions of the area in much of its built form. As stated above, the removal of the side wing to the non-original barn will not harm the listed building or its setting, given that it is disconnected from the rest of the building.
15. The proposed extension would involve the loss of some historic fabric, however the retention of the lean-to element and visibility in the plan form, in addition it will provide better connection between the extension and the rest of the building, and I have identified no harm to the listed building. Furthermore, there is no dispute between the main parties that the proposal would preserve that setting, and Listed Building Consent has been granted for the same works.

Conditions

16. No conditions have been suggested in respect of the proposed development by the Council, however I have attached the necessary conditions in the interests of precision and clarity to establish the time limit for the commencement of

² Lee Valley Regional Park Authority, R (on application of) v Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 404.

development as well as to list the approved drawing numbers. A pre-commencement condition is necessary requiring samples of materials to be submitted to the Local Planning Authority for approval to ensure that materials match the existing property and protect the character and appearance of the listed building and the local rural area.

Conclusion

17. For the reasons given above, having regard to the development plan as a whole, and all other relevant material considerations, I conclude that the appeal should succeed.

Robert Naylor

INSPECTOR