



Appeal Decision

Site visit made on 10 January 2023

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 JANUARY 2023

Appeal Ref: APP/Y3615/D/22/3300459

Anchusa Cottage, Lawbrook Lane, Peaslake GU5 9QW

- 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 and Mrs Colin and Kathy Dry against the decision of Guildford Borough Council.
 - The application Ref 21/P/02390, dated 10 November 2021, was refused by notice dated 21 March 2022.
 - The development proposed is single storey rear extension and alterations to side extension roof to form front and back porches.
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Decision

1. This appeal is dismissed.

Preliminary Matters

2. Within the context of an appeal under section 78 of the Act it is not within my remit to formally determine whether a proposed development would be lawful. However, I shall consider the evidence in so far as it is material to this appeal. If the appellant wishes to ascertain this, they may make an application under section 191 or 192 of the Act.

Main Issues

1. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development

2. The National Planning Policy Framework July 2021 (the Framework) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; and the essential characteristics of Green Belts are their openness and their permanence. The Framework goes on to state that inappropriate development is harmful to the Green Belt. The construction of new buildings in the Green Belt should be regarded as

inappropriate, and thus should be approved only if very special circumstances exist, unless they come within one of the categories in the closed list of exceptions in paragraph 149 of the Framework.

3. Of relevance to this appeal is that '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' is listed as an exception at paragraph 149c.
4. The original building had a floorspace of 91sqm and was a two storey cottage. Subsequent extensions including a single storey side extension and two storey rear extension have been added. This results in existing floorspace of around 145sqm.
5. It is put to me that the proposed single storey rear addition would increase the floorspace by a further 11sqm and the covered porches to the front and rear would have a 6sqm footprint. Even excluding the covered porches, this represents an approximate 70% increase from the original floor area. Furthermore, although it does not add floorspace the increase in height of the single storey side extension through the introduction of a pitched roof would also increase the size of the property.
6. There is no policy to define the extent of what should be considered to be disproportionate. Nevertheless, the extensions would result in a considerable increase in the size of the original building with the proposed development introducing notable additional massing at ground floor. Therefore, the proposed development would result in a disproportionate addition over and above the size of the original building.
7. Consequently, for the reasons described above, the appeal scheme is inappropriate development in the Green Belt both in the terms of the Framework, the aims of which are set out above and Policy P2 of the Guildford Borough Local Plan: Strategy and Sites (2019) (Local Plan) which broadly echoes these requirements.

Openness

8. Openness has both spatial and visual dimensions. Together the increased height to the existing side extension and the single storey rear extension would introduce development where currently there is none, and therefore there would be harm to spatial openness. The extensions are likely to be visible from the adjoining properties and nearby public bridleway. Therefore, in terms of visual intrusion, the proposed development would have a greater impact on the openness of the Green Belt than existing.
9. Consequently, for the reasons above, the proposed development would be harmful to the openness of the Green Belt. Therefore, it would be contrary to the Framework and Policy P2 of the Local Plan.

Other Considerations

10. Extensions of a greater floorspace than that proposed may be allowed under permitted development and this is an important other consideration. However, in this case the proposal includes an enlargement which would extend beyond a wall which forms the principal elevation of the original dwellinghouse. Therefore, the development proposed would not appear to be permitted development. Consequently, the evidence before me leads me to conclude that

there is not a real prospect that these works would take place under permitted development and as such this does not weigh in favour of the development.

11. The appeal site is in the Surrey Hills Area of Outstanding Natural Beauty (the AONB) and an Area of Great Landscape Value. The Framework states that 'great weight should be given to conserving and enhancing landscape and scenic beauty' in an AONB. The introduction of a pitched roof to the existing single storey side addition would better reflect the roofscape of the original dwelling and would therefore enhance the appearance of this part of Anchusa Cottage and its immediate setting. However, this relates to a small part of an existing building and as such these benefits would be very limited in their scale.
12. The proposed development would provide a more functional layout to the property with a direct link between the kitchen and living room and would provide accessible features including a ground floor WC and an entrance with less steps than the existing front door. However, these are mainly private benefits for the occupiers and therefore I afford them minimal weight. The new extensions would also have an improved thermal performance with associated environmental benefits, albeit that this would only relate to the new parts of the building and would therefore be very limited.
13. There are no objections from neighbours, the AONB officer or the parish council. However, the lack of harm in these regards is a neutral factor.

Green Belt Balance

14. The Government attaches great importance to Green Belts. Paragraph 148 of the Framework states that substantial weight should be given to any harm to the Green Belt. I have found harm to the Green Belt by reason of the proposed development's inappropriateness and effect on openness.
15. The considerations advanced by the appellant include an improvement to character and appearance and I afford great weight to conserving and enhancing landscape and scenic beauty in the AONB. Nevertheless, due to the scale of the development the benefits in this regard are limited. Therefore, the other considerations in this case, even when considered together, do not clearly outweigh the harm that I have identified.
16. The very special circumstances necessary to justify the development therefore do not exist. Consequently, the proposed development would conflict with paragraph 148 of the Framework and Policy P2 of the Local Plan, the aims of which are set out above.

Other Matters

17. It is put to me that there are other nearby sites¹ where a greater increase in size than that sought here have been requested. I am not provided with the details of these cases but I have no reason to doubt that such extensions may be permitted in specific circumstances and in line with the policies in place at that time. However, I have taken into account the particular circumstances of this appeal and for the reasons explained above, I find that the proposed

¹ Oakleigh, Woodhouse Land LPA ref 12/P/00567, Lavender House, Hoe Lane 14/P/00256, Pond Place, Woodhouse Lane, 19/P/01477

extensions would be disproportionate in this case and the other considerations would not outweigh this harm. As such this does not alter my conclusions.

Conclusion

18. The proposal would not accord with the development plan and there are no other considerations, including the provisions of the Framework, to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that this appeal should be dismissed.

H Miles

INSPECTOR