



Appeal Decision

Site visit made on 17 January 2023

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 JANUARY 2023

Appeal Ref: APP/Y3615/D/22/3303045

Owls Hatch, Elstead Road, Seale GU10 1JD

- 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 Stancliffe against the decision of Guildford Borough Council.
 - The application Ref 22/P/00055, dated 13 January 2022, was refused by notice dated 28 April 2022.
 - The development proposed is a single storey extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For clarity and brevity, the description of development has been taken from the Council's decision notice and the appeal form. This is because the description of development on the application form includes additional detail relating to the reasoning behind that proposed.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Metropolitan Green Belt (Green Belt) having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect it has upon the openness of the Green Belt;
 - the effect of the proposal on character and appearance of the main dwelling and area; and
 - if the development is inappropriate whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstance necessary to justify the development.

Reasons

Whether the proposal constitutes inappropriate development, and the effect upon the openness of the Green Belt

4. The appeal site is located at the edge of a large clearing within a mature woodland. The woods extend away to the front and rear of the site and on the

opposite side of Elstead Road. To the side of the site, separated by fencing, is a large open field defining the clearing.

5. The dwelling on the appeal site is detached, two-storey and positioned at right angles to Elstead Road accessible from a track which runs in front of it. To the rear of the main dwelling, linked by a short section of wall is a hipped roof outbuilding which has a garage door that faces towards Elstead Road. Beyond the outbuilding is a high wall which delineates the edge of the rear garden. Between Elstead Road and the outbuilding and wall is another area of outdoor space and a mature hedgerow, with gated access to the garage door.
6. Paragraph 149 of the Framework states that the construction of a new building is inappropriate in the Green Belt but sets out 7 exceptions to this. On review of the evidence before me I am satisfied that the proposed extension should be considered under paragraph 149 c). This allows for the extension or alterations of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites (SLP) refers directly to the tests of the Framework.
7. The proposal would constitute a little over 40% increase in floor space from the original building. Nevertheless, it would infill the open space which exists between the main dwelling and outbuilding and extend the length of the outbuilding considerably. This would mean the proposal would have a similar overall footprint to the main dwelling and would significantly extend the built form on the site beyond that which is existing.
8. The proposal would be single storey. However, it would be taller than the existing outbuilding and would be clearly visible above the boundary wall. This along with the proposed elongated form would result in a substantial extension which would disproportionately relate to the main dwelling and would be considerably larger than the outbuilding it would subsume.
9. Consequently, although appreciated that mathematically the proposal would not be excessively large, the location, length, height, and form of the proposal would create an extension which would appear both visually and physically disproportionate in size to the original building. The proposal would not, therefore, comply with Paragraph 149 c) of the Framework.
10. The positioning of the existing garden wall and outbuilding creates a visual barrier across the site. However, the impact of these features, spatially, is limited due to the very open aspect across the adjacent field and associated clearing. The proposal would extend above and along the boundary wall for some distance. This combined with the loss of the space between the main dwelling and outbuilding would visually and spatially reduce the openness of the site, and thereby fail to preserve the openness of the Green Belt it is part of.
11. In conclusion, the proposal would constitute inappropriate development which would fail to preserve the openness of the Green Belt. It would not comply with SLP Policy P2 and the Framework. As set out in paragraph 147 of the Framework inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, a matter which I will return to below.

Character and appearance

12. The proposal seeks to create a modern single storey extension to the main dwelling to extend the living space for the occupants. It would be finished in red brick, a material used in the quoins and a small section of the upper floor of the main dwelling.
13. The proposed materials and pitch of the extension roof would be like that of the main dwelling. However, the use of a parapet wall and lack of eaves would undermine these similarities and create an unbalanced roof to wall ratio, at odds to the proportions of the main dwelling. The proposed detailing, including brick panels and columns, full height glazing, and recessed porch and window elements, would also visually dominate the more subtle and delicate features of the main dwelling.
14. The proposal would, therefore, fail to respect the scale, design, and character of the main dwelling. The proposed encompassing of the retained, largely pale stoned, rear wall of the outbuilding and associated connecting wall, with red brick would create a visually difficult transition from old to new. This would harm the overall appearance of the appeal site.
15. For these reasons the relationship between that proposed and the main dwelling would be awkward, and the subservient relationship of outbuilding lost. Which, in turn, impact on the setting of the appeal site by increasing its physical presence within the space between woodland and clearing, thus reduce the legibility of that visual transition. The proposal would, therefore, fail to respond to the distinctive appearance of the main dwelling, its rustic cottage character, and bucolic setting.
16. The none pastiche treatment of the extension is noted. However, this does not mitigate my findings.
17. In conclusion, the proposal would harm the character and appearance of the main dwelling and area. This would be contrary to SLP Policy D1 and Policy G5 of the Guildford Borough Local Plan 2003 (LP) insofar as they seek new development to achieve a high quality of design that responds to the context, scale, proportion and form of the surrounding buildings and environment.

Other considerations

18. The appeal site is in the Surrey Hills Area of Outstanding Natural Beauty (AONB). AONBs are designated for the purposes of conserving and enhancing natural beauty and Section 85(1) of the Countryside and Rights of Way Act 2000 places a duty upon me to have regard to these purposes in this decision. The Council did not object to the appeal scheme in this regard and I agree that due to the location and overall size of the appeal site it would not harm the special qualities of the AONB. It is also appreciated that the proposal would not cause harm to the living conditions of the occupants of nearby properties. Nevertheless, both these considerations would constitute a lack of harm which is a neutral factor and so does not weigh for or against the proposal.
19. The positive impact that the proposed additional living space would have for the appellant and their family is noted, however as this would largely constitute a personal benefit, it only attracts a very limited weighting.

20. Consequently, these other considerations do not clearly outweigh the totality of harm to the Green Belt, by reason of inappropriateness and impact on openness, and the character and appearance of the main dwelling and area. Therefore, the very special circumstances necessary to justify the development do not exist.

Conclusion

21. For the reasons given above the appeal scheme would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, that would indicate a decision otherwise. The appeal is, therefore, dismissed.

RJ Redford

INSPECTOR