



Appeal Decision

Site visit made on 21 February 2023

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2023

Appeal Ref: APP/R3650/D/22/3294946

7 Mare Lane, Hascombe, Godalming GU8 4JH

- 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 B Welch against the decision of Waverley Borough Council.
 - The application Ref WA/2021/0306, dated 5 February 2021, was refused by notice dated 15 March 2022.
 - The development proposed is described as two storey rear and side extension and single detached garage.
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Decision

1. The appeal is dismissed.

Background and Preliminary Matters

2. On the 6 May 2021 the Council granted planning permission for development as set out in the banner heading above. This decision was subsequently challenged and heard by the High Court. For the reasons set out in the judgment the claim was allowed and the original decision was quashed.
3. In light of the challenge, the application was reconsidered by the Council and refused by notice on the 15 March 2022. Given the original decision was quashed I have not had regard to it or the Council's original findings.
4. The Application Form and Appeal Form set out different spellings of the appellant's surname. The appellant's agent has subsequently confirmed the correct spelling.

Main Issues

5. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt; and
 - If the development is inappropriate would the 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

Inappropriate development

6. 7 Mare Lane is a two-storey semi-detached dwelling. It is sited within a rural settlement within the Green Belt. I noted, during my site visit, that other dwellings appear to have extensions, some like the proposed development, most notably the attached dwelling 8 Mare Lane.
7. The Framework at paragraph 149 establishes that the construction of new buildings should be regarded as inappropriate unless, amongst other things, it involves the extension or alteration of a building. That is, however, provided it does not result in disproportionate additions over and above the size of the original building (paragraph 149c).
8. Policy RE2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018 (the LPP1) also seeks to protect the Green Belt from inappropriate development unless very special circumstances can be demonstrated.
9. There appears to be no dispute between the main parties that the extensions would increase the size of the building by 72.6%. On this basis and given the scale of the proposed extensions, this element of the proposal would be a disproportionate addition over and above the size of the original building, failing to accord with the exception in paragraph 149c of the Framework.
10. The proposed garage would be a new building within the Green Belt and there are no exceptions before me to come to a different view. As set out above, new buildings should be regarded as inappropriate in the Green Belt.
11. I appreciate the development takes some of its design cues from neighbouring dwellings such as No 8. However, the test at Paragraph 149c of the Framework relates to additions over the original building rather than any comparative test with neighbouring buildings.
12. Consequently, I find that the proposal would amount to inappropriate development and, in this regard, would conflict with Policy RE2 of the LPP1 and the Framework.

Openness

13. The Framework advises that openness and their permanence is an essential characteristic of Green Belts. The openness of the Green Belt has both spatial and visual aspects. While the development would take its design cues from neighbouring dwellings, the overall size, bulk and mass of the proposed extensions and new garage would diminish openness.

Other considerations

14. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm by reason of inappropriateness is clearly outweighed by other considerations.
15. The extension's design would balance with No 8 and this weighs modestly in favour of the scheme. I also note that other dwellings appear to have been

extended. However, I have not been furnished with details as to how these were found to be acceptable. I therefore ascribe this limited weight.

Other Matters

16. The appellant has expressed concerns regarding the time taken to reach a decision during the application process. Whilst this must have caused the appellant some distress, this does not materially affect my consideration of the planning merits of the appeal proposal.
17. I have also considered the various other concerns raised by interested parties. However, none of the other matters raised outweigh or alter my conclusion on the main issues. As I am dismissing the appeal for other reasons, I have not pursued these matters further.

Planning Balance & Very Special Circumstances

18. The proposal would be inappropriate development in the terms set out in the Framework. In addition, it would fail to preserve openness. The Framework establishes that substantial weight should be given to any harm to the Green Belt.
19. For the reasons set out above, the harm to the Green Belt would not be clearly outweighed by other considerations. Therefore, very special circumstances necessary to justify a grant of planning permission have not been demonstrated.

Conclusion

20. The proposal would conflict with the development plan and the Framework when taken as a whole and for this reason the appeal should be dismissed. There are also no other material considerations of sufficient weight to indicate a decision should be made contrary to this conclusion.

N Praine

INSPECTOR