



Appeal Decision

Site visit made on 18 April 2023

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 MAY 2023

Appeal Ref: APP/R3650/D/22/3306838

**Hydestile Paddock, Hambledon Road, Hydestile, Godalming, Surrey
GU8 4DE**

- 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 Christopher Schellander against the decision of Waverley Borough Council.
 - The application Ref WA/2022/01014, dated 28 February 2022, was refused by notice dated 21 June 2022.
 - The development proposed is described as “planning application proposing improvements to the visual exterior of the property and alterations and extensions to the roof spaces to the rear of the property following demolition of multiple existing ground floor areas. This results in an overall reduction of the ground floor footprint. Additionally, replacement of a porch to the front of the house for a more aesthetically pleasing one and the addition of a contemporary rear aspect situated inconspicuously to the rear of the property. Installation of multiple low carbon technologies including Ground source heat pump underneath paddock on the curtilage”.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development 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
 - whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to very special circumstances required to justify the proposal.

Reasons

Inappropriate Development

3. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy RE2 of the Waverley Borough Local Plan (Part 1) (2018)

(2018 Local Plan) follows this approach, permitting proposals where they do not conflict with the exceptions listed in national planning policy.

4. Paragraph 149 of the Framework establishes that the extension or alteration of a building is not inappropriate in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building. Saved Policy RD2 of the Waverley Borough Local Plan (2002) (2002 Local Plan) builds on this, explaining that in assessing whether a proposed extension is disproportionate, 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 supporting text provides further guidance on this assessment, advising that, as a guideline, a proposal which individually or cumulatively increases the floorspace of the original dwelling by more than 40% will be unlikely not to result in disproportionate additions over and above the size of the original dwelling. However, in assessing whether an extension is disproportionate regard will also be had to the effect of the proposal on the rural character of the area in general and of the overall scale of the development on the site. Also, proposals which utilise part of the volume of the existing building, such as conversions of lofts or cellars, will usually have less impact on the rural character of the area than proposals involving wholly external enlargements.
5. It is stated in the officer's report that the original dwelling had a floorspace of 89 sqm and this is not disputed by the appellant. The original dwelling has previously been extended to between 244.2 and 266.93 sqm, an increase of at least 174.4%. According to the submitted plans, the proposal would add 43.98 sqm of floorspace but would also remove some floorspace from the ground floor to offset this. Nonetheless, even a small increase to the floorspace of 8.32 sqm would result in a cumulative increase to the floorspace of the original dwelling of more than 175%. Therefore, even if the proposal itself, would only result in a 3.1% increase in the floorspace of the existing dwelling, the cumulative increase to the floorspace of the original dwelling would be significantly more than the 40% advised in the supporting text of saved Policy RD2 of the 2002 Local Plan.
6. With regards to the proposal's effect on the rural character of the area, the Council conclude that the proposal, despite using suitable materials, would not enhance the character of the landscape due to the size and scale of the development and that the extensions would not be subordinate to the host dwelling.
7. I understand that the proposal has been designed to improve the visual appearance of the appeal property, which currently comprises a series of poorly related additions, which have resulted in a convoluted roof form. From my observations on site the existing dwelling appeared to be in a relatively poor state of repair. However, despite what may be considered a poor selection of materials, it is not unattractive and, given its relatively modest scale, does not harm the character of its countryside setting.
8. The proposal would add bulk to the existing roof profile at the rear of the appeal property. It would also increase the height of the eaves, which would change the appearance of this part of the house from single storey with rooms in the roof to two-storey. Together this would increase the overall scale and massing of the appeal property. However, these additions would result in a

much simpler and more symmetrical form for the appeal property, particularly for the south-east and north-west elevations. Given the variety in the size, form and style of neighbouring dwellings, which include larger, 2-storey houses, the resulting two-storey house would not look out of place in its countryside surroundings. Subsequently, any effect on the character and appearance of the landscape would be limited.

9. Nevertheless, while I appreciate that the proposal was the most visually appealing of multiple designs and options that were identified, and despite the proposal utilising some of the existing dwellings loft space, it would not be an insignificant or subordinate addition. Given this, and the resulting cumulative increase to the floorspace of the original dwelling of over 175%, it would result in disproportionate additions over and above the size of the original building.
10. For this reason, the proposal would conflict with saved Policy RD2 of the 2002 Local Plan. Accordingly, it would be an inappropriate form of development within the Green Belt, which, by definition, is harmful to the Green Belt.

Impact on openness

11. It may be that, given parts of the existing structure would be removed from the ground floor to compensate for the additional structure at first floor level, the overall increase in floorspace as a result of the proposal would be small. However, I saw on site that the porch structures that would be removed are largely open, whereas the additions would be enclosed. The proposed additions would therefore take up more space than the existing structures, resulting in harm to the spatial openness of the Green Belt, albeit this harm would be limited.
12. In terms of visual harm, views of the appeal property from public vantage points are very limited. The appeal property cannot be seen from Hambledon Road. It is set back from the access drive and, given the majority of the proposed extensions and alterations would be at the rear of property these would not be visible. However, despite hedging and fencing, and given the extensions and additions would be largely at first floor level, they would be visible from neighbouring properties and their gardens, as well as the paddock to the south. Moreover, they would be significantly more visible than the existing structures at ground floor level which would be removed. Given this, the proposal would result in some localised harm to the visual openness of the Green Belt.
13. For the reasons above, the proposal would result in spatial and visual harm to the openness of the Green Belt. Thus, it would not preserve its openness contrary to the fundamental aim of the Framework.

Other Considerations

14. In terms of benefits, the proposal would simplify and rebalance the form of the dwelling, as well as replace existing building materials with high quality, handmade and heritage materials. It would also reduce the number of internal level changes making access throughout the house easier for people with reduced mobility. There would significant environmental improvements resulting from the installation of low carbon technologies, including solar panels and a ground source heat pump, and enhanced roosting opportunities for bats.

These benefits weigh in favour of the proposal, and I afford them significant weight.

15. I note the strong support of occupants of neighbouring properties for the proposal and I appreciate the disappointment that may result from a refusal. However, engagement with the occupants of neighbouring properties and their continued support for the improved aesthetics of the appeal property as a result of the proposal, does neither outweigh nor justify the harm to the Green Belt that I have identified.
16. The appellant's statement refers to the planning history of the appeal site and the merits of previous development proposals relating to the appeal property, both permitted and refused, including the conservatory that would be removed as part of the proposal. It has been put to me that these previous development proposals were deemed acceptable even though they do not appear to comply with the planning policies being applied by the Council in this case. Also, that these previous permissions did not mention any maximum limit had been reached or that any further extension would be disproportionate.
17. The previous development proposals were determined prior to the adoption of the Council's extant development plan and the Framework, and there is no information before me as to the policy context applying at the time of their determination. Therefore, I can afford these previous decisions little weight in my decision. In any event, I must take account of the most relevant and up to date policy in reaching a decision and I have found that the proposal would result in inappropriate development in the Green Belt, as well as harm to its openness.
18. Furthermore, even if the approval of the existing conservatory involved the consideration of similar issues to this appeal, the conservatory itself is a modest and subordinate addition to the existing dwelling at ground floor level. Therefore, while its demolition forms part of the proposal, the proposal, which would result in increased bulk at a first-floor level, is significantly different.
19. Whether or not a replacement dwelling could be constructed that was larger overall than the appeal property as proposed, there is no substantive evidence before me that this is a realistic prospect. To the contrary, the appellant states this to be a route that they do not ideally wish to pursue and, therefore, this has not been determinative in my decision.
20. The appellant also refers to some appeal decisions where the Council had failed to determine the application within the prescribed period. While, I do not have the full details of these decisions before me, the examples provided do not appear to be directly comparable to the proposal. For example, they do not involve alterations and extensions at a first-floor level such as the proposal, neither do they involve an assessment of whether the proposed development would be inappropriate development in the Green Belt. Moreover, while all the examples relate to situations where the Council has failed to determine an application within the prescribed period, this was not the reason the appeals were allowed. As such, I can afford little weight to these examples.
21. The appellant considers the Council to have failed procedurally for a number of reasons, including failing to determine the application within 8 weeks without an agreed extension of time; in the absence of a site visit, not undertaking a thorough and effective assessment of the proposal; failing to engage after the

application was refused; and not applying policy consistently during its consideration of the proposal, including as part of pre-application advice.

22. I acknowledge that the application took longer to determine than 8 weeks and appreciate that this would cause frustration. I also appreciate that the outcome of the application would have been a disappointment to the appellant and occupants of neighbouring properties. However, whether or not the Council has failed procedurally and/or its application of policy and advice is interpreted as being inconsistent, I must consider the appeal before me and have found that it would result in inappropriate development in the Green Belt, as well as harm to its openness.

Green Belt Balance

23. I have found that the proposal would conflict with saved Policy RD2 of the 2002 Local Plan and would constitute an inappropriate form of development in the Green Belt. It would also not preserve the openness of the Green Belt. The Framework indicates that harm by reason of inappropriateness should be given substantial weight and that inappropriate development should not be approved except in very special circumstances.
24. While I recognise the many benefits of the proposal and have given them significant weight, this does not clearly outweigh the substantial harm by reason of inappropriateness and the harm I have identified to the openness of the Green Belt. Thus, there are not the very special circumstances necessary to justify the proposal. The proposal would therefore be contrary to Policy RE2 of the 2018 Local Plan and the aims of the Framework with regards to Green Belt.

Conclusion

25. Accordingly, for the reasons above, I conclude that the appeal should be dismissed.

Hannah Guest

INSPECTOR