



Appeal Decision

Site visit made on 30 May 2023

by J E Jolly BA (Hons) MA MSc MCIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 June 2023

Appeal Ref: APP/Y3615/D/22/3305295

Hurtwood Place, Holmbury Hill Road, Holmbury St Mary, Surrey RH5 6NR

- 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 Peter Knight against the decision of Guildford Borough Council.
 - The application Ref 22/P/00459, dated 11 March 2022, was refused by notice dated 16 August 2022.
 - The development proposed is for the creation of a first floor to the existing detached garage, including front and rear dormers, to facilitate a gym and study with an external bin store.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For clarity, I have used the description of development given on the Council's Decision Notice.

Main Issues

3. The main issues in this case are:
 - whether the proposal would represent inappropriate development in the Green Belt, and if so, 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 circumstances necessary to justify the development; and,
 - whether the proposal would preserve or enhance the character or appearance of the area, including the Holmbury St Mary Conservation area (CA), and the Surrey Hills Area of Outstanding Natural Beauty (AONB).

Reasons

Inappropriate development

4. The appeal site is a pitched-roofed, detached double-garage that is located in the Green Belt, AONB and the setting of the Holmbury St Mary Conservation Area (CA) which is set to one side of the host dwelling known as Hurtwood Place.

5. The National Planning Policy Framework (the Framework) sets out clearly in Paragraphs 147-151 that unless an exception can be demonstrated that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except where very special circumstances exist, to which I give great weight.
6. The appellant contends that Paragraph 149 (c) of the Framework applies as the proposed extensions and alterations to the roof space, which would represent approximately a 30.2% increase, would not result in disproportionate additions over and above the size of the original building. Moreover, while the Council submits that the proposal would be 67.8% larger than the original development, the appellant also argues that the proposal would not create any newly built-floor area, and hence represents an exception in respect of inappropriate development in the Green Belt.
7. However, consideration of whether a development is 'materially larger' as described in Paragraph 149 (c) of the Framework is not restricted solely to floorspace. There are other considerations which depend on the circumstances of the case. In this case the proposal seeks alteration to the modest and unfettered roofscape of the simple garages. Consequently, the development would not only appear to be a two-storey building of some considerable height and mass but would also include bulky off-centre dormer windows to the front, a flat-roofed 'box-like' rear extension and an access stairway to one side, all of which would be disproportionate in comparison to the existing building.
8. I conclude therefore, that the proposal would be inappropriate development in the Green Belt. As a result, the proposal would be contrary to Policy 2 of the Guildford Borough Local Plan Strategy and Sites 2019 (GLPSS) which says, amongst other things, that the construction of new buildings in the Green Belt will constitute inappropriate development, unless the buildings fall within the list of exceptions identified by the Framework, and for similar reasons Paragraph 149 (c) of the Framework.

Conservation Area and AONB

9. The properties along Holmbury Hill Road are set back from the highway on generous plots behind hedges and trees. There is also a footpath that runs past the rear of the appeal building which helps to soften the transition into the woodland and the countryside of the AONB beyond. In the wider area the built form is typified by a mix of traditional style properties which face onto the low-lying single-lane roads which helps to contribute to the historic character of the settlement and the CA.
10. Notwithstanding that the proposed development would be built in traditional-type materials and have folding doors, the proposal would increase the scale and mass of the existing building. Indeed, whether the rear dormer would be relatively hidden from passers-by or not, I noticed at my site visit that the proposed roof-scape dormers and stairway to the front and side of the development would be overly prominent in this location, particularly when travelling along Holmbury Hill Road towards the access for Holmbury St Mary Cricket Club, and to those seeking to use the footpath beyond.

11. I acknowledge that at certain times of the year leaf coverage provided by the surrounding trees and hedges might afford a level of shielding. Nonetheless, when viewed from nearby areas, the bulky additions to the front, side and rear of the building would erode the subtle blending with the CA and the AONB beyond. I conclude therefore, that as a result of its scale and mass, location and setting, the proposed development would fail to preserve or enhance the character or appearance of the CA and harm the AONB.
12. Accordingly, the proposal would be contrary to Policies D1 and D3 of the GLPSS which say, that all new developments will be required to achieve high quality design that responds to distinctive local character (including landscape character) of the area in which it is set, and Paragraph 130 (c) of the Framework which requires that development is sympathetic to local character and history, including the surrounding built environment and landscape setting.

Green Belt, Heritage, and Planning Balance

13. As set out above, inappropriate development in the Green Belt should not be approved except in very special circumstances, which do not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.
14. Similarly, Paragraph 199 of the Framework and the statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are matters of considerable importance and weight. In this respect, the proposal would result in 'less than substantial harm' to the significance of the CA as a designated heritage asset. It is important to note the 'less than substantial harm' does not equate to a less than substantial planning objection. Furthermore, Paragraph 202 of the Framework requires that 'less than substantial harm' should be weighed against public benefits of the proposal.
15. As such, I note the benefits to the appellant and his family, including the benefits of homeworking. I attribute these personal benefits minimal weight. Economic benefits would include employment opportunities connected to the construction of the proposal. I afford these public benefits some limited weight as the employment opportunities are likely to be short-term.
16. Overall, I conclude, even when considered in combination, that the benefits do not outweigh the harm to the Green Belt, the 'less than substantial harm' to the setting of the CA or the harm to the AONB.

Conclusions

17. I have found that the proposal would be inappropriate development in the Green Belt. I have also found that the proposal would fail to preserve or enhance the character or appearance of the CA and harm the AONB. Moreover, I find that the other considerations in this case do not clearly outweigh the harm that I have identified. As there are no other material considerations that indicate a decision other than in accordance with the development plan, I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR