



Appeal Decision

Site visit made on 1 June 2023

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2023

Appeal Ref: APP/Y3615/D/22/3305788

19 Queen Street, Gomshall, GU5 9LU

- 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 & Mrs N Phillips against the decision of Guildford Borough Council.
 - The application Ref 21/P/01893, dated 31 August 2021, was refused by notice dated 15 June 2022.
 - The development proposed is the erection of a single storey rear extension and first floor extension above existing single storey rear element.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the site address as given in the planning application form. However, I have taken the description of development from the Council's decision notice and the appellants' planning appeal form, as it more accurately describes that for which permission is sought. I have omitted the reference to amended plans as this is not an act of development.

Main Issues

3. The main issues are:
 - a) whether the proposed development would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - b) the effect of the proposal on the openness of the Green Belt; and
 - c) 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

4. The National Planning Policy Framework (the Framework) advises that in the Green Belt, development should be regarded as inappropriate. However, Paragraph 149(c) of the Framework states that the extension or alteration of a building is not inappropriate development in the Green Belt provided it does not result in disproportionate additions over and above the size of the original building. The Framework does not explain what is meant by 'disproportionate'. It is a matter therefore of planning judgement.

5. Policy P2 of the Guildford Borough Local Plan: strategy and sites 2019 (Local Plan) similarly seeks to protect the Green Belt from inappropriate development. It references the list of exceptions identified by the Framework. With regard to extensions to buildings, Policy P2 states that the “original building” shall mean the building as it existed on 1 July 1948, which is the same definition as given in Annex 2 of the Framework. The policy is therefore generally consistent with the Framework’s approach.
6. There is no dispute between the main parties that the existing dwelling represents a 100% increase in floorspace over the original building. The proposed extension would represent an uplift in floorspace of 18.2 m², with the single storey rear extension adding a small increase to the dwelling’s footprint.
7. Although the percentage increase over an above the existing is therefore not large, the test in the Framework is additions over and above the size of the original building. Furthermore, ‘size’, can reasonably be interpreted as a reference to such factors as volume, height, external dimensions, visual perception etc. and not just footprint or floorspace.
8. When taken in that context, and having regard to the resulting scale, form and bulk, there would be a substantial increase in the building’s size when compared to the relatively modest original building. Therefore, as a matter of judgement, I conclude that the overall size of the building as now proposed cannot reasonably be considered to represent anything but disproportionate additions over and above the size of the original building.
9. I therefore find the proposal would be inappropriate development in the Green Belt. In addition to conflicting with Paragraph 149(c) of the Framework, the proposal would also be contrary to Policy P2 of the Local Plan, which seeks to resist inappropriate development in the Green Belt.

Openness

10. Paragraph 137 of the Framework states: ‘the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence’. Openness is not defined in the Framework but in determining the nature and extent of any impact on Green Belt openness it is necessary to assess both spatial and visual impacts.
11. The site is in a fairly secluded location and the works would principally be to the rear of the building. The works to the first floor would not be widely visible given that the existing garage is set well back from the road and is partially screened by the main part of the dwelling. Nevertheless, the proposal would result in a physically larger building than that which exists. Thus, the openness of the Green Belt would be reduced in spatial terms, albeit by a limited degree. This would cause a small amount of harm to the openness of the Green Belt.
12. Whilst the overall effect on openness might be limited and localised, harm to the openness of the Green Belt would nevertheless occur; and, as per paragraph 148 of the Framework, any harm to the Green Belt attracts substantial weight.

Other Considerations

13. The Council has raised no concerns in relation to the impact of the proposed development upon the Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV) in which the appeal site is located. I agree with these findings. However, as this is a neutral factor in the determination of the appeal it does not weigh in favour of the proposed development.
14. Similarly, I note that the proposal would use matching materials, not compromise the design/appearance of the dwelling, comply with the 45-degree rule and would not raise any parking concerns. However, compliance in all these respects would be expected for any development to be considered acceptable. As such, they do not weigh positively in favour of the proposal. Furthermore, the absence of substantive objection from the Parish Council does not mean that the current scheme is acceptable.
15. It is suggested that some extensions should have been anticipated when the building was converted to a dwelling. However, it has previously been extended, and to an extent which the Council indicates would not be allowed under their current policies. I appreciate the desire for the additional works, which are intended to accommodate a growing family. However, the weight I could attach to what are essentially personal circumstances would be limited.
16. Similarly, it is suggested that the appellant would need to move out of the area if the appeal is dismissed and that this could have implications, particularly in terms of consultant provision at the nearby Hospital. However, there is no substantive evidence before me on this point. Any weight I could attribute to this matter would therefore be limited.

Green Belt and Planning Balance

17. The development is inappropriate development in the Green Belt which by definition is harmful. It would also result in a small loss of openness of the Green Belt. As such, the Framework requires that the harm I have identified be given substantial weight and that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is not just outweighed but clearly outweighed by other considerations.
18. The weight I could ascribe to those considerations in favour of the proposed development would be limited and insufficient to justify the proposed development, owing to the substantial weight that should be attached to any harm to the Green Belt. Very special circumstances do not therefore exist.
19. The conflict with the Framework policies for the Green Belt would provide a clear reason for refusing the development. I also find that the development is contrary to the development plan taken as a whole. I have considered all other matters raised but none outweigh the conclusion I have reached.

Conclusion

20. For the reasons set out above, the appeal should be dismissed.

Stewart Glassar

INSPECTOR