



Appeal Decision

Site visit made on 19 June 2023

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 JUNE 2023

Appeal Ref: APP/Y3615/D/22/3312855

Rosemarie Cottage, Chapel Lane, Pirbright GU24 0JY

- 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 Mullens against the decision of Guildford Borough Council.
 - The application Ref 22/P/00815, dated 9 May 2022, was refused by notice dated 7 October 2022.
 - The development proposed is described as the 'erection of a first floor extension and alterations together with the removal of outbuildings.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is located within an area of Green Belt. Accordingly, the main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the 'Framework') and relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt; and
 - If the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether Inappropriate Development

3. The Framework states that the construction of new buildings is to be regarded as inappropriate development subject to the exceptions which are set out in paragraph 149. Part c) of this paragraph lists the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building, as one such exception. This is also set out in Policy P2 of the Guildford Borough Local Plan: Strategy and Sites (2019) (LP).
4. The appeal property has been extensively extended, particularly to the rear, and the Council set out that the addition of a further extension as proposed would result in a 156% increase on the original property.

5. The appellants however set out that the rear-most part of the single storey rear projection was originally constructed as a separate detached outbuilding. However, there is no substantive evidence before me that this previous outbuilding was part of the original property, which is defined in LP Policy P2 as:
 - i. the building as it existed on 1 July 1948; or*
 - ii. if no building existed on 1 July 1948, then the first building as it was originally built after this date'.*
6. Even if I accepted the appellant's argument, they put the total increase at some 80%. Neither LP Policy P2 nor the Framework define disproportionate however, I consider that an increase of this magnitude of the floorspace of the original property across two storeys would be significant. Moreover, there would be a considerable increase in the massing of the first floor element of the house. This would, in combination with the previous additions, amount to a substantial increase in the form, bulk and overall scale and size of the original building. This is consistent with how the two appeal decisions¹ referenced by the appellants were considered.
7. In light of the above I conclude that the further addition proposed would comprise a disproportionate addition over and above the size of the original building and would result in inappropriate development in the Green Belt, as described in LP Policy P2 and paragraph 149 of the Framework.

Openness

8. The proposal would increase the depth and massing of the property at first floor level, which would be visible from the adjacent properties. There would be therefore a visual impact upon openness in addition to the spatial impact that would result, and openness would be reduced.
9. In this regard, the Framework makes it clear that openness is an essential characteristic of the Green Belt.

Other Considerations

10. The appellant proposes to remove two outbuildings, sited at the end of the rear garden. The appellants measure these single storey buildings at a combined total of 23.2sqm, less than the proposed additional floorspace. Whilst lessening the spread of development across the site, their removal would not therefore mitigate nor offset the scale, nor, given the first floor element proposed, the height and additional massing proposed.
11. The proposal would provide additional living space for the appellant and would generate some economic benefits during the construction phase. However, these are modest benefits that are common to most developments of this type and size.

Other Matters

12. Whilst the appellant has set out that the development would comply with other policies and various paragraphs of the National Planning Policy Framework (the Framework), would meet standards and not cause harm with regards to

¹ Appeal reference APP/Y3615/D/17/31855 & APP/Y3615/D/18/3209793

matters such as, amongst others, character and appearance and impact on the living conditions of neighbours, this to be expected in any development and does not weigh in favour of the proposal.

Conclusion

13. The proposal would constitute inappropriate development in the Green Belt and would reduce openness in this location. The Framework states that substantial weight should be given to any harm to the Green Belt. Even when taken together, I conclude that the other considerations do not clearly outweigh the harm in this case. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal is therefore contrary to LP Policy P2 and guidance contained in the Framework relating to Green Belts.
14. For the reasons given above I conclude that the appeal should be dismissed.

B Phillips

INSPECTOR