



Appeal Decision

Site visit made on 24 July 2023

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 August 2023

Appeal Ref: APP/D3640/D/22/3313222

The Laurels, Bisley Green, Bisley, Woking, Surrey GU24 9EW

- 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 Ed and Mrs Hannah Fry against the decision of Surrey Heath Borough Council.
- The application Ref 22/0652/FFU, dated 4 July 2022, was refused by notice dated 10 October 2022.
- The development proposed is described as the extension of the existing outrigger to provide better connection to the existing garden, new kitchen and utility room.

Decision

1. The appeal is allowed and planning permission is granted for the extension of the existing outrigger to provide better connection to the existing garden, new kitchen, and utility room, at The Laurels, Bisley Green, Bisley, Woking, Surrey GU24 9EW in accordance with the terms of the application, Ref 22/0652/FFU, dated 4 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: OI1548989; PA16-1(11)00 P1; PA16-1(11)01 P1; PA16-1(12)00 P1; PA16-1(12)01 P1; PA16-1(14)02 P1; and PA16-1(14)03 P1.
 - 3) The development hereby permitted shall use materials in the construction of the external surfaces that match those used in the existing building.
 - 4) Prior to any equipment, machinery or materials being brought onto the site for the purposes of the development, protective fencing shall be erected for the trees shown on plan PA16-1(11)00 P1, and any trees whose canopies overhang the site. The protective fencing shall be erected in accordance with an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) that shall have first been submitted to, and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved AMS and TPP.

Main Issues

2. The main parties have not put forward any relevant development plan policies in relation to the reasons for refusal, referring only to the National Planning Policy Framework (the Framework). Therefore, the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework;

- the effect it has upon the openness of the Green Belt; and
- if the development is inappropriate 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 circumstance necessary to justify the development.

Reasons

3. Paragraph 149 of the Framework states that the construction of a new building is inappropriate in the Green Belt but sets out 7 exceptions to this. On review of the evidence before me I am satisfied the proposed development should be considered under paragraph 149 c), the extension or alteration of a building.
4. Paragraph 149 c) requires that the extension or alteration does not result in disproportionate additions over and above the size of the original building. The Council have used a mathematical calculation to assess the physical increase in volume. However, the Framework does not prescribe what constitutes a disproportionate addition, and I find the use of a mathematical calculation as a starting point unsupported by evidence or policy.
5. The appeal property constitutes one half of a semi-detached pair which are both similar in form. They both have broadly rectilinear, 2 storey main sections with a single storey rear outrigger along the shared boundary. The appeal property's outrigger is smaller than that on the attached property which is L shaped.
6. Looking at the physical characteristics of that proposed, it would alter the outrigger so that it would be a similar shape to that of the attached property. It would retain the outrigger's subsidiary relationship with the main part of the building and balance the existing stepped rear elevation. The overarching layout and form of the appeal building, as well as the semi-detached pair, would be retained and not subsumed by the proposed extension. There are several outbuildings within the garden of the attached property, positioned directly behind the location of the proposed extension, so it would also not extend beyond existing development.
7. Consequently, the proposal would retain the sense and character of the original building. Even though the proposed extension, in combination with prior extensions, may constitute a relatively large increase in volume mathematically, it would nevertheless retain the building's overall proportions and form both in terms of design and its relationship to the wider area.
8. The proposal would not, therefore, be inappropriate development in the Green Belt and would comply with paragraph 149 c) of the Framework. As the proposal would not be inappropriate development, it is not necessary to further consider the effect of the proposal on openness nor is it necessary to consider very special circumstances, and there is no other harm to weigh it against.

Conditions

9. The Council has suggested several conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended them for consistency and clarity.

10. In addition to securing commencement within the relevant statutory timeframe, I have imposed conditions requiring adherence to the approved plans; the use of materials which match the existing building; and the protection of nearby trees during construction. This is to ensure all parts of the proposal would integrate with the appeal dwelling and protect the character and appearance of the area.

Conclusion

11. For the reasons given above the appeal scheme would not conflict with the Framework, when read as a whole, and there are no sufficiently weighted material considerations, which would indicate a decision otherwise. The appeal is, therefore, allowed.

RJ Redford

INSPECTOR