



Appeal Decision

Site visit made on 5 September 2023

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2023

Appeal Ref: APP/Y3615/D/23/3315929

Brambles, Mill Lane, Pirbright, Surrey GU24 0BS

- 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 Greg Toynton against the decision of Guildford Borough Council.
 - The application Ref 22/P/00927, dated 26 May 2022, was refused by notice dated 16 November 2022.
 - The development proposed is first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) whether the proposed 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;
 - ii) the effect of the proposed development on the openness of the Green Belt; and,
 - iii) if the proposal is inappropriate development, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations as to amount to the very special circumstances required to justify the development.

Reasons

Inappropriate development

3. The appeal property is a detached dwelling that is located within the Green Belt. The property appears two storeys in height from the front and has a cat-slide roof to the rear. The dwelling has single storey projections on both sides and to the rear. The appeal property forms part of a small cluster of buildings, which lie in a rural location surrounded by agricultural land and woodland.
4. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm, and very

special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

5. The construction of new buildings is deemed to be inappropriate development within the Green Belt. Both parties agree that paragraph 149 c) of the Framework is the relevant exception to be considered in this appeal and I have no reason to disagree with this finding. Paragraph 149 c) relates to the extension or alteration of a building, provided that it does not result in a disproportionate addition over and above the size of the original building.
6. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2015 – 2034 adopted April 2019 (LPSS) states that where a development does not fall within any of the exceptions listed in the Framework, that there must be other considerations sufficient to amount to very special circumstances to justify the development. Policy P2 defines the 'original building' to mean as it existed on 1 July 1948, which is consistent with the definition given in Annex 2 of the Framework. While Policy P2 does not provide criteria for assessing or measuring proportionality, the Framework refers to 'size' in relation to the original building, which can reasonably be interpreted to include volume, height, external dimensions, footprint or floorspace.
7. The appellant calculates the floor area of the original dwelling to be 98.6 sqm, the floor area of the existing dwelling to be 210 sqm and the floor area of the proposed extension to be 20 sqm. While the floor area of the proposed extension would be relatively modest in size, the existing dwelling has already been extended significantly compared to the size of the original dwelling. In combination with the previous extensions, the appellant calculates that the proposed extension would equate to a 133% increase in floor area above the size of the original dwelling. The Council calculates this uplift to be 147.4%. Even taking the lower figure provided by the appellant, the proposal would result in a significant increase in floor area compared to the size of the original dwelling.
8. The proposed first floor extension would not extend as far rearwards as the existing rear projection. It would also appear subordinate in terms of its height to the host dwelling. I acknowledge that the existing rear projection has a relatively steep pitched roof; however, the proposed extension would be higher in height and result in an increase in bulk and mass at first floor and roof level. The proposal in combination with the existing extensions would amount to substantial and disproportionate additions over and above the size of the original dwelling.
9. For the reasons given above, I conclude that the proposal would result in a disproportionate addition over and above the size of the original dwelling. As a result, the proposal would be inappropriate development in the Green Belt. The proposal would conflict with Policy P2 of the LPSS, which seeks to resist inappropriate development in the Green Belt. The proposal would also conflict with paragraph 149 c) of the Framework, which requires that extensions to dwellings within the Green Belt do not result in disproportionate additions over and above the size of the original building.

Openness

10. Openness is an essential characteristic of the Green Belt that has visual as well as spatial aspects. The property is located within a spacious plot. Even though the proposal would not be visible from public vantage points it is still capable of affecting the openness of the Green Belt. For the reasons set out above, the proposed extension would result in a disproportionate addition over and above the size of the original dwelling. The increase in volume and massing at first floor and roof level would result in a harmful loss of openness to the Green Belt; albeit this harm would be limited given the scale of the proposal.
11. I conclude that the proposal would harm the openness of the Green Belt. The proposal would conflict with Policy P2 of the LPSS, which seeks to preserve the openness of the Green Belt. The proposal would also conflict with paragraph 137 of the Framework, which seeks to keep land permanently open.

Other considerations

12. The appellant has a lawful development certificate for a rear dormer. There is a greater than theoretical prospect that the appellant will implement this scheme should the appeal be dismissed and it is therefore a material consideration. The appellant argues that this fallback scheme amounts to a very special circumstance, as the appeal scheme would provide a more aesthetically pleasing addition. In comparison to the fallback scheme, the appeal scheme would result in a greater mass and bulk of built form to the rear of the property. Consequently, the appeal proposal would be more harmful to the openness of the Green Belt than the fallback scheme. I therefore give this argument limited weight.
13. I acknowledge that the appellant has 2 young children and that the proposal would enable a further bedroom to be provided at first floor level, which would provide a more satisfactory layout for the family. While I have had regard to the best interests of the children, the fallback scheme would also provide 3 bedrooms at first floor level and provide the appellant with the internal space that they require. Consequently, I afford this other consideration limited weight.

Other Matters

14. The appellant has drawn my attention to appeal decision APP/R3650/D/21/3289244, where an Inspector found an extension to not be a disproportionate addition to the existing dwelling. While only limited information has been provided on this other appeal, it is clear from the appeal decision that the other scheme resulted in a smaller increase individually and cumulatively to the original dwelling than the scheme before me. The other appeal was also determined by a different Council and subject to different development plan policies. As a result, the two schemes are not comparable.

Green Belt balance and conclusion

15. The proposed development would be inappropriate development in the Green Belt, which is by definition harmful to the Green Belt. Furthermore, there would be harm caused by the small loss of spatial openness to the Green Belt from the proposed development. Paragraph 148 of the Framework is clear that substantial weight should be given to any harm to the Green Belt. Overall, I

afford the other considerations advanced in this case limited weight in favour of the development. Accordingly, very special circumstances do not exist that clearly outweigh the harm to the Green Belt, by reason of inappropriateness and harm to openness.

16. For the reasons given above, the proposal would conflict with the development plan as a whole and there are no other material considerations, including the Framework, that would outweigh that conflict. Therefore, I conclude that the appeal should be dismissed.

Conclusion

A James

INSPECTOR