



Appeal Decision

Site visit made on 6 November 2023

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

an Inspector appointed by the Secretary of State

Decision date: 10th November 2023

Appeal Ref: APP/Y3615/D/23/3321625

Chalk Barton, Shere Road, West Horsley, Surrey KT24 6EW

- 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 Nick Howe against the decision of Guildford Borough Council.
 - The application Ref 22/P/01770, dated 14 October 2022, was refused by notice dated 29 March 2023.
 - The development proposed is for the demolition of existing front walling and front flue, erection of ground floor infill porch, finished with open oak structure, replacement flue and alterations.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing front walling and front flue, erection of ground floor infill porch, finished with open oak structure, replacement flue and alterations at Chalk Barton, Shere Road, West Horsley, Surrey KT24 6EW in accordance with the terms of the application, Ref 22/P/01170, dated 14 October 2022, and the plans submitted with it, 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:
 - Drawing: ENC/140622/2324/TP - Topographical
 - Drawing: ENC/140622/2324/MB – Measured Building
 - Drawing: ENC/140622/2324/EL - Elevations
 - Drawing: SR/01 – Proposed Plans
 - Drawing: SR/02 – Proposed Elevations
 - Drawing: SR/03 – Proposed Site and Roof Plan
 - Drawing: SR/04 – Site Location Plan
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on drawing SR/02.

Procedural Matter

2. The Government published a revised *National Planning Policy Framework* (the Framework) in July 2021. All references to the Framework in this decision relate to the updated document.

Main Issue

3. The main issue in this case is:
 - whether the proposal would represent inappropriate development in the Metropolitan Green Belt (the Green Belt) having regard to the Framework and relevant development plan policies.

Reasons

Inappropriate development in the Green Belt

4. 'Chalk Barton' is a dwelling with a garage and outbuildings that is set on a generous tree-lined plot set back from Shere Road at the end of a gravelled driveway and is located in the Green Belt.
5. The Framework sets out in Paragraphs 147-151 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except where very special circumstances exist. All development is inappropriate unless an exception can be demonstrated under Paragraph 149 of the Framework.
6. While the appellant has referred to Paragraph 149 (e) of the Framework in support of his case which relates to the infilling of villages rather than extensions or alterations to a building, he also contends that the proposal would result in a very minor addition to the size of the original building, and that the development of a store building has resulted in a reduction in the built form on the appeal site. Nonetheless, the Council submits to the contrary, that the proposal, in combination with various extensions, a garage and a store which have been added to the original building over a number of decades, would result in a disproportionate addition to the host dwelling, and would therefore in its view, be contrary to Paragraph 149 (c) of the Framework and Policy DP2 of the Guildford Local Plan Strategy and Sites 2019 (GLP).
7. However, there is not an express definition of what 'disproportionate' means in practice contained within either the Framework or the relevant adopted local plan. Consequently, to my mind, the proposal would represent a very low-key addition to the host dwelling, which I noted at my site inspection would not be seen from the road, neighbouring dwellings or in the wider views.
8. Moreover, the simple timber and matching tile features of the proposal would be subordinate to the existing front elevation. As such, I concur with the appellant that the proposal would be a modest 'de minimis' addition to the host dwelling. I also note that, the proposal has drawn no objections from West Horsley Parish Council or other interested parties.
9. Therefore, in this instance and very specific location, and in the planning judgement, I do not find that the proposal would represent a disproportionate addition over and above the size of the original building. I conclude therefore, that the proposal is not inappropriate development in the Green Belt.

10. For these reasons, the proposal would accord with Policy 2 of the GLP which says that development will be permitted as an exception if it falls within the list of exceptions identified in the Framework; namely Paragraph 147 (c), as supported by the SPD which says, amongst other things, that proposals in the Green Belt will be considered on their own merits and should be subordinate to the original dwelling.

Conditions

11. The Council have not suggested any detailed conditions for the proposal. Therefore, I have considered Paragraph 56 of the Framework and the national Planning Practice Guidance and imposed the following conditions for certainty; a standard time condition, a condition requiring that the development is carried out in accordance with the approved plans, and a condition related to external materials.

Conclusion

12. For the reasons given above the appeal should succeed and planning permission be granted, subject to the conditions set out above.

J E JOLLY

INSPECTOR