



Appeal Decision

Site visit made on 3 January 2024

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2024

Appeal Ref: APP/D3640/W/23/3321866

Oakleigh and Tixley, Hookstone Lane, West End, Woking, Surrey GU24 9QP

- 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 Bean Chapman against the decision of Surrey Heath Borough Council.
- The application Ref 22/0119/FFU, dated 10 February 2022, was refused by notice dated 10 November 2022.
- The development proposed is the erection of part one, part two storey rear extensions.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address above is taken from part A of the appeal form and the Council's Decision Notice. This is in the interest of clarity.
3. The Government published in December 2023 a revised version of the National Planning Policy Framework (the Framework). Given the similarities with the previous Framework with regards to Green Belt issues, I am satisfied that no party would be prejudiced by making reference to the Framework in this decision.
4. The appellant has submitted a report¹ providing expert technical analysis of historic photographs. The Council has had opportunity to comment on the report and as such, there is no harm to natural justice in my consideration of this report.

Main Issues

5. 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 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.

¹ By Air Photo Services Ltd, dated 29 March 2023

Reasons

Whether Inappropriate Development

6. The appeal relates to a pair of semi-detached properties, under the same ownership. Extensions are proposed to both. 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 154. 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.
7. The parties are agreed that both original properties measure 121.3sqm, excluding outbuildings. In accordance with relevant caselaw, outbuildings can be considered as part of the original dwelling.
8. Aerial photographs dated 1954 and 1956 are provided, however, these are insufficiently clear to substantiate the scale or form of any structure next to Oakleigh.
9. It is stated that it is impossible to reproduce the stereoscopic observations in the submitted report. However, even if I were to accept the conclusions of this report, that a single storey pitched roofed rectangular shaped three-dimensional structure was present at this location at both 1950 and 1956, on face value, the report does not measure the outbuilding. The appellant sets out that a 42sqm figure comes from a 1970 photograph, however again, this photo is not sufficiently clear nor precise to either establish whether an outbuilding was present or to accurately measure the floorspace of the building. I have therefore no substantive evidence of the size of this building, even if one did exist in 1948.
10. Reference is also made to an 18.5sqm garage. The planning permission in 2009² replaced an 'existing' garage sited to the rear of the property. I note that email correspondence suggested that in 2009 it was agreed that the original floorspace ('including the garage that was knocked down') was 150sqm, however this is not substantiated. The Officer report for the 2009 application is clear in setting out the 'original floorspace' of the property at 121.3sqm. No reference is made to the garage being original. As such, there is no substantive evidence before me to suggest that a garage should be included in the original floorspace calculations.
11. Other appeal decisions are referenced by the appellant. In the first instance³ at Crabtree Cottage, the Inspector concluded that the original property floorspace figure is 'very likely greater' than that indicated by the Council's calculations due to the provision of a number of historic maps by the appellant showing a significantly larger footprint. As set out above, I have no comparable evidence before me.
12. In relation to Telvet Cottage⁴, the Inspector set out that the differing figures provided by the appellant and Council both indicated that the floor area and volume the proposed extension would increase the size of the original dwelling by less than 40%. This is not the case for the appeal before me, where in

² Planning application reference 09/0277

³ Appeal reference APP/J0405/D/22/3293954

⁴ Appeal reference APP/C3620/D/18/3200353

relation to Oakleigh, (and in not including the abovementioned outbuildings) the Council measure the existing building as being 94% larger than the original.

13. As set out above, the Framework allows for the extension of a 'building'. This I singular. Nevertheless, both parties have considered the cumulative impact of the proposal spread over both properties. As such, I will do the same.
14. The Council measure the cumulative increase as 47%, which includes the removal of the outbuilding to the rear of Tixley. Even if I accepted the presence of an outbuilding as original and the additions are likely to add up to less than this figure, this would represent a sizable increase. Nevertheless, as set out in both appeals referenced above, proportionality is a matter of planning judgement, not solely dependent on percentage increases.
15. Notwithstanding the disagreements about the outbuildings, Oakleigh has clearly been extensively extended, with a two storey side extension and further single storey side extension which approximately doubles the width of the property. There is also a part two storey rear projection. I also observed on site an outbuilding next to a swimming pool under construction, which appears to be within the curtilage of Oakleigh.
16. The extensive additions are visually dominant and means that the form and proportions of the original modest semi-detached dwelling are not readily apparent. The proposed extension would add massing to the rear elevation, exacerbating the scale of the additions and their overwhelming impact upon the form of the original property. This proposed extension is therefore disproportionate.
17. Moreover, the scale of these extensions and additions has an overwhelming impact on the building as a whole, cumulatively. It is clear therefore that further extensions would also exacerbate the existing substantial increase in the combined size of the dwellings, even with the slight reduction in floor space that is proposed to Tixley.
18. I therefore conclude that the additions proposed would comprise a disproportionate addition in terms of scale and bulk over and above the original size of both Oakleigh and the combined semi-detached unit. The development would result in inappropriate development in the Green Belt, as set out in paragraph 154 of the Framework.

Openness

19. The Framework makes it clear that openness is an essential characteristic of the Green Belt.
20. Given the reduction in footprint set out above and reduction in the spread of development across the site, the extension to Tixley would not harm openness from a visual nor spatial perspective.
21. However, in terms of Oakleigh, whilst the proposal would not increase the footprint of the dwelling it would, given the extension of the roof form, increase the massing and built form of the property at first floor level. Whilst sited within the existing 'U' shaped development, it would be clearly perceptible and more prominent from the rear of Tixley and there would be therefore a visual

impact upon openness in addition to the spatial impact that would result, and openness would be reduced. Modest harm to openness would therefore occur.

Other Considerations

22. It is evident that Tixley has not been substantially extended, and there may be opportunity for further additions to that property that may not be considered disproportionate. However, no details of these theoretical additions are before me, and I cannot give them any weight as fall-back position. Even if there was a mechanism before me to secure it, they therefore cannot be used to offset the size of the proposal to Oakleigh nor the resultant harm to openness.

Other Matters

23. The benefit of improved accommodation in terms of bedroom space and study space, is a private matter and has little weight in favour of the proposal. Any consequential benefit in terms of sustainability is also minor.
24. No additional bedrooms are proposed for either property and therefore the potential benefits of larger homes in releasing the supply of smaller properties is not substantiated. The Council dispute that there is any evidence that there is demand for dedicated student accommodation within the area. Even if there was, I have no mechanism before me to secure this. As such, this does not carry weight in favour of the proposal.
25. The lack of any other identified harm, such as to the character of the wider area or highways, is a neutral matter. Similarly, even if the proposal would not conflict with the five purposes of the Green Belt as set out by the Framework, this is a neutral factor.

Conclusion

26. 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. 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 the Framework.
27. For the reasons given above I conclude that the appeal should be dismissed.

B Phillips

INSPECTOR