



Appeal Decision

Site visit made on 6 February 2024

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2024

Appeal Ref: APP/R3650/D/23/3323145

The Homestead, Sandy Lane, Rushmoor, Farnham, Surrey GU10 2ET

- 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 Paul Oldridge against the decision of Waverley Borough Council.
 - The application Ref WA/2022/02876, dated 10 November 2022, was refused by notice dated 6 March 2023.
 - The development proposed is erection of two storey extension, hip to gable extension and extension to existing dormer.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's reasons for refusal refer to Policies RD2, D1 and D4 of the Waverley Borough Local Plan 2002. However, these policies have been superseded by the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies (the Local Plan Part 2), which was adopted by the Council on 21 March 2023, and now forms part of the development plan. The delegated report indicates that the policies from the Local Plan Part 2 that are relevant to the reasons for refusal are Policies DM4, DM5 and DM14. Policy DM5, however, relates to safeguarding the residential amenity of existing and proposed occupants. The delegated report concludes that there would be no harm in this regard, and the reasons for refusal do not refer to this issue.
3. The appeal was submitted after the adoption of the Local Plan Part 2, so the appellant has had the opportunity to comment on any implications arising from the change in the development plan in his submissions.
4. During the appeal, on 19 and 20 December 2023, the Government published its revised National Planning Policy Framework (the Framework). The revisions to the national advice do not have a material bearing on the matters at dispute between the parties in this case. Consequently, I have not found it necessary, in the interests of natural justice, to seek further written comments, and neither party would be prejudiced by my consideration of the revised advice in my determination of the appeal.
5. In November 2023, the National Landscapes Association reported that all designated Areas of Outstanding Natural Beauty (AONBs) had become National Landscapes. However, the Framework continues to refer to them as AONBs. In this decision I have used the term AONB, consistent with the evidence and the

Framework. The legal designation and policy status of such areas is unaffected, whichever term is used.

Background and Main Issues

6. It is not disputed that, in cumulation with previous enlargements of the property, the proposal would result in a disproportionate addition over and above the size of the original building. This puts the proposal in conflict with Policy DM14 of the Local Plan Part 2. It is also common ground that, in these circumstances, the proposal would represent inappropriate development in the Green Belt for the purposes of paragraph 152 of the Framework. I concur with this position. Consequently, the main issues in this appeal are:
 - a) The effect of the development on openness and the purposes of including land in the Green Belt;
 - b) The effect of the development on the character and appearance of the street scene, the Area of Great Landscape Value (the AGLV) and the Surrey Hills AONB; and,
 - c) Whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Effect on openness and purposes of including land in the Green Belt

7. Paragraph 142 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl, by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
8. The Council's uncontested evidence indicates that the proposal would increase the floorspace of the dwelling by 77 square metres. This would include some enlargement of its footprint through the forward extension of its southern wing. Whilst much of the additional floorspace would be achieved within the existing footprint, the conversion of the hips to gables, the extension to the dormer, and the increase in the ridge height to span the wider southern wing would, in combination with the forward extension, result in a considerable increase in its volume. In purely spatial terms there would, therefore, be a loss of openness.
9. However, the forward extension would be onto land that is already hard-surfaced, and it would be seen against the backdrop of the existing dwelling. Furthermore, the resultant front elevation would still be recessed between the west facing gable and the adjacent dwelling to the south, so it would not be evident in oblique views down the street from either direction. The extension to the rear dormer would not be readily visible from any public viewpoints. The enlargement of the main roof would be evident in the street scene, but the overall width and height of the dwelling would not be exceeded, so there would be little change to the gaps between buildings, and the trees to the rear would still be visible from Sandy Lane. The increased footprint and volume proposed would not, therefore, have a marked visual impact on openness.

10. The appeal site lies within a concentrated area of residential development and the extensions would not result in a significant consolidation of built form. Taking account of all of these factors, I find that the overall harm to the openness of the Green Belt as a result of the proposal would be very limited. Furthermore, there would be no conflict with any of the Green Belt purposes set out at paragraph 143 of the Framework.

Character and appearance

11. Sandy Lane is a straight residential road with dwellings on both sides. There are no streetlights or pavements, and the carriageway is unmarked. There are grass verges to either side, backed by hedges and fences. The buildings are set well back on the plots, behind planted front gardens, many of which contain mature trees. The dwellings are of various sizes and designs, but all have traditional pitched roofs. The western side of the road is made up entirely of well-spaced detached houses, but the row on the eastern side, including The Homestead, is made up of a variety of housing types, including two terraces just to the north. Consequently, regular large spaces between buildings are not a notable characteristic on this side of the road. Nevertheless, due to the set back of the dwellings on both sides, and the abundant foliage, the area has a spacious, verdant character, and the dwellings are not dominant in the street scene.
12. The two-storey extension would involve an addition to the footprint of the dwelling. However, the front face of this element would still be set well back from the existing forward-facing gable, so it would not intrude into the open front garden of the property. Furthermore, it would be set behind the rear building line of the adjacent property, The New House. In views up and down the road it would not project beyond the building line, and would not harm the characteristic spaciousness in the street scene. It would, therefore, respect the local context in terms of building setbacks, plot coverage, and the established street pattern in accordance with Policy DM4b) of the Local Plan Part 2.
13. The hip to gable additions, and the increased ridge height over the southerly wing would be apparent in the street scene. However, the overall height and width of the building would not be increased, so it would still be of an overall scale that would be in keeping with surrounding development. Furthermore, the resultant appearance of the dwelling would be an appropriate response to the architectural composition and variety of the other buildings in the locality.
14. There would be some reduction in the gap between The Homestead and The New House as a result of the proposal. However, the two buildings are on significantly different building lines, so there would not be any apparent terracing in the street scene. When seen from the road directly in front of The Homestead, there would still be a view between the buildings to the gardens and trees beyond. In any event, wide gaps are not a characteristic on this side of the road, and in oblique views up and down the street, the buildings already visually coalesce into a largely continuous façade. Furthermore, there are terraced buildings in close proximity. Consequently, the proposal would respect the rhythm of the streetscape and the spaces between buildings in accordance with Policy DM4b).
15. The Council's reason for refusal refers to harm to the AGLV and AONB. Policy RE3 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites, February 2018 (the Local Plan Part 1) requires new development to respect and

where appropriate, enhance the distinctive character of AONBs and AGLVs. Paragraph 182 of the Framework requires great weight to be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to these issues.

16. The Homestead is surrounded on all sides by residential development, so is visually detached from the wider countryside. The Council's delegated report does not contain any evidence to explain how, in these circumstances, the relatively modest alterations to the building would harm the AGLV and AONB. I have not been provided with any evidence setting out the special landscape characteristics of the AGLV. However, the Surrey Hills AONB Management Plan 2020 – 2025 describes the AONB as an intriguingly diverse landscape characterised by hills and valleys, traditional mixed farming, a patchwork of chalk grassland and heathland, sunken lanes, picturesque villages, and market towns. None of these elements are evident from the appeal site. As the proposed alterations would only be visible from a limited area immediately surrounding the site, they would have no discernible impact on the positive characteristics of the wider AGLV and AONB beyond this enclave of development.
17. I therefore conclude on this issue that the proposal would not harm the character and appearance of the street scene, the AGLV, or the AONB. The development would, therefore, accord with Policy DM4 of the Local Plan Part 2 and Policy RE3 of the Local Plan Part 1. Taken together, these policies seek to ensure high quality design and to protect the distinctive character of AONBs and AGLVs.

Other considerations

18. The appellant argues that, if the appeal is dismissed, the required accommodation could be provided through the construction of a detached building as permitted development under Class E of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO). It is stated that this will be demonstrated by means of a Certificate of Lawfulness of Proposed Use or Development from the Council. However, I have not been provided with evidence that this has been sought or granted, so I am not aware of any formally established fallback position.
19. Nevertheless, there is no evidence before me to indicate that the permitted development rights conferred by the GPDO could not be exercised. Consequently, there is a greater than theoretical possibility that, if the appeal is dismissed, the appellant might pursue the fallback proposal, so it is a material consideration.
20. The fallback proposal that has been put to me is for a detached building to the rear of the house, which would accommodate a relocated games room/gymnasium, and which would also cover the existing swimming pool. The proposed building would have a floorspace that would be 21 square metres larger than the additional accommodation proposed under the appeal. However, in the absence of a detailed scheme, I do not have any volumetric comparison between the proposal and the fallback position. It seems likely, nonetheless, that the fallback proposal would have a greater impact on the openness of the Green Belt in purely spatial terms.

21. However, the fallback proposal would be in the rear garden of the house and, to comply with the requirements of the GPDO, it would be single storey, with limitations on its roof height. It would, therefore, be largely concealed behind the existing dwelling. Consequently, in visual terms, it would be likely to have a lesser impact on openness than the proposal before me. Overall, therefore, and in the absence of a detailed proposal that would be demonstrably lawful, I cannot be sure that the fallback scheme would necessarily be any more harmful to the openness of the Green Belt. It therefore carries little weight in my decision.

The Green Belt balance

22. The extension is inappropriate development that conflicts with Policy DM14 of the Local Plan Part 2 and the advice in the Framework that seeks to protect the Green Belt. However, I have found that the development only results in very limited harm to the openness of the Green Belt. I have also concluded that the proposal is not harmful to the character and appearance of the street scene, the AGLV or the AONB. However, the absence of harm in these respects does not amount to very special circumstances. The potential fallback position carries little weight, as it has not been demonstrated that it would be any more harmful to the openness of the Green Belt.
23. There are no other considerations in favour of the development that clearly outweigh the presumption against inappropriate development in the Green Belt and the substantial weight that the Framework requires to be attached to such harm. The very special circumstances necessary to justify the proposal do not, therefore, exist. Consequently, the proposal would be contrary to Policy DM14 of the Local Plan Part 2, which seeks to protect the Green Belt from inappropriate development. The proposal would also conflict with the advice in the Framework on protecting Green Belt land.

Conclusion

24. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR