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## Appeal Decision

Site visit made on 6 February 2024

**by D Szymanski BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 February 2024**

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**Appeal Ref: APP/Y3615/D/23/3325684**

**Hillside Farm, Salmons Road, Effingham, Surrey KT24 5QH**

- 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 and Mrs Cullingham against the decision of Guildford Borough Council.
  - The application Ref 23/P/00033, dated 21 December 2022, was refused by notice dated 18 April 2023.
  - The development proposed is single storey side extension following the demolition of existing single garage and substandard side extension. Proposed front extension (previously approved under reference 19/P/01365).
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### Decision

1. The appeal is allowed, and planning permission is granted for single storey side extension following the demolition of existing single garage and substandard side extension. Proposed front extension (previously approved under reference 19/P/01365), at Hillside Farm, Salmons Road, Effingham, Surrey KT24 5QH in accordance with the terms of application Ref: 23/P/00033 dated 21 December 2022, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with approved plan Refs PL02B (Proposed floor plan) and PL03C (Proposed elevations).
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Procedural Matters

2. Since the appeal was lodged, the revised National Planning Policy Framework (2023) (the Framework) was published on 19 December 2023. I have given the Council and Appellant the opportunity to comment upon any implications of this. The paragraph numbering below reflects the new Framework.
3. This proposed development includes a previously permitted replacement porch, which the appellant's appeal statement states has been implemented. At my

visit a porch structure of the previously approved form<sup>1</sup> had been substantially constructed but was not yet fully complete. As the appellant has stated the porch is implemented under the previously approved scheme, I have not considered this appeal scheme on the basis it is retrospective.

## **Main Issues**

4. The main issues are:

- whether or not the proposed development would be inappropriate development in the Green Belt;
- the effect of the proposed development upon the openness of the Green Belt; and,
- if the proposed development is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, and if so, would this amount to the very special circumstances required to justify the proposal.

## **Reasons**

### *Inappropriate development*

5. Paragraph 142 of the Framework identifies the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It identifies the construction of new buildings should be regarded as inappropriate in the Green Belt, subject to exceptions listed in paragraphs 154 and 155.
6. An exception at paragraph 154 c) is 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. While the Framework does not define what constitutes disproportionate, Annex 2 defines the original building as being as it existed on 1 July 1948 or, if constructed after, as it was built originally.
7. Policy P2 of the Guildford borough Local Plan: strategy and sites (2019) (the LPSS) states that the Green Belt will be protected against inappropriate development in accordance with the Framework. The construction of new buildings in the Green Belt will constitute inappropriate development, unless they fall within the list of exceptions in the Framework. It defines the original building as being as it existed on 1 July 1948 or, if no building existed on that date, then the first building as it was originally built after this date. Therefore, Policy P2 is consistent with the Framework.
8. Whether or not a development would result in disproportionate additions is based upon several factors including footprint, floorspace, scale, volume, and form. The dwelling has had additions from a part constructed porch and a large deep rear extension. The parties have provided similar measurements of the existing/approved dwelling, and that which would result from this scheme.
9. However, the Council states the original building was approximately 136 sqm, and with this proposal would result in an approximately 87% increase, which is

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<sup>1</sup> Ref. 19/P/01365.

disproportionate. The appellant's view is the original was approximately 170 sqm, and this proposal would result in an approximately 47.7% increase.

10. The appellant's calculation appears to include the garage and studio proposed to be replaced. Having invited views from both parties, no further evidence was received. The two elements are of different roof forms to the main dwelling, part of their walls and eaves appear of different construction, the eaves are not consistent at the joints with the main dwelling, and the studio includes a partial weatherboard finish not consistent with the main dwelling. Though the evidence is not fully conclusive, it appears more likely these structures are not original and postdate 1 July 1948. On this basis, the original dwelling is likely to be of an order close to the Council's suggested size.
11. The proposed development would result in a comparatively limited increase in floorspace. However, the pitched hipped roof form would result in an extension of a clearly increased height, scale and overall volume. Taken cumulatively with the previous additions, the proposed development would result in disproportionate additions over and above the size of the original building.
12. Therefore, for the reasons set out above, the proposed development would be inappropriate development in the Green Belt as defined in the Framework and Policy P2 of the LPSS, which would be, by definition, harmful to the Green Belt.

#### *Openness*

13. The effect of the porch extension upon openness would be no different to that already implemented. The side extension would result in a limited increase in the overall footprint of the existing dwelling. It would be set back markedly behind the line of the existing garage and to a lesser degree the front elevation of the main dwelling. However, it would increase the visual width of the dwelling and the height of built development above that of the present garage and studio rooms. On-balance taking into consideration the various attributes of the proposal, as a whole, it would result in limited adverse effects upon the visual and spatial openness of the Green Belt.
14. For the reasons set out above the proposed development would have an adverse impact upon the openness of the Green Belt. Therefore, it would conflict with the aims of Policy P2 of the LPSS and the Framework, insofar as these aim to ensure the openness of the Green Belt is preserved.

#### *Other considerations*

15. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. While in this case the harm to the Green Belt is limited, substantial weight is given to the identified harm to the Green Belt.
16. The appeal site is set within a prominent position in a largely open and attractive hillside landscape, and in the visual context of well-spaced individual dwellings of varying ages and forms. Those in proximity to the appeal site appear thoughtfully constructed, distinctive, well-designed individual dwellings. The appeal dwelling is a distinctive primarily rendered bungalow incorporating tiled hipped roof forms, with various additions, within a generous verdant plot.
17. However, by virtue of their respective flat and mono-pitched roof forms, the partial front projection and utilitarian appearance of the garage, some poorly

related materials, fenestration and construction of the studio, they are rather strident and negative features. The garage and studio result in a disjointed appearance in a sensitive and prominent location in the street scene and landscape, not sympathetic to or in keeping with the character and appearance of the host building or the area. They are clearly visible from Salmons Road and discernible in partially filtered but still significant views over the landscape.

18. The side extension would remove negative features of built development, replacing these with a well-designed subservient extension, set back from the front elevation and well within the host plot. The roof form would be set below the ridge, be of complementary angles and result a degree of balance to the host dwelling. Overall, I am of the view that the proposal would result in a considerable enhancement to the character and appearance of the host dwelling, and a clear enhancement to the area. It would meet the aims of Policies H4 and D4 of the Guildford Borough Development Management Policies (2023), the Residential Extensions and Alterations Supplementary Planning Document (2018) and paragraph 135a) of the Framework insofar as these seek development is a high-quality design which contributes to distinctiveness and responds positively to and enhances the character and appearance of the area.
19. The proposed development would result in a minor temporary economic benefit as a result of its construction, bring the property up to a more modern standard, with improved comfort and living space for the occupiers, which are very minor benefits. Compliance with policies in respect of the living conditions of neighbouring occupiers is a neutral matter.

### **Green Belt Balance**

20. The proposal amounts to inappropriate development and would also result in harm to the openness of the Green Belt, which attracts substantial weight. However, it would result in a considerably more visually attractive and well-designed building, and an improvement to character and appearance. In the context of this appeal scheme, this attracts very substantial weight. In this case I find that the other considerations clearly outweigh the harm that I have identified by reason of inappropriateness and the harm to openness. I consider that very special circumstances exist which justify approving the proposal.

### **Conditions**

21. It is necessary to specify conditions for the time limit for commencement and compliance with the approved plans to ensure certainty. To ensure the satisfactory appearance of the development a condition is necessary to ensure the external materials used in the construction of the development match the existing building.

### **Conclusion**

22. For the reasons set out above, having regard to all the matters raised, I conclude the appeal should be allowed and planning permission be granted.

*Dan Szymanski*

INSPECTOR