



Appeal Decision

Site visit made on 19 March 2024

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24.04.2024

Appeal Ref: APP/Y3615/D/24/3336716

76 Frog Grove Lane, Wood Street Village, Surrey; GU3 3HA

- 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 Miller against the decision of Guildford Borough Council.
 - The application Ref 23/P/01497, dated 5 September 2023, was refused by notice dated 30 October 2023.
 - The development proposed is erection of single storey rear extension with green roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The above description of development in the banner heading is taken from the planning application form. It differs from the Council's description which also included reference to the 'conversion of existing loft space to habitable accommodation including two dormer windows to front and replace existing dormer to rear. Infill extension to the front porch. Removal of chimney, installation of four rooflights and photovoltaic panels and changes to fenestration'. I am advised the additional works included in the Council's description of development are the same as those approved under a previous planning application, ref. 23/P/00384. These have been implemented and at the time of my site visit, appeared to be nearing completion. I have determined the appeal on the basis that permission is sought only for the rear extension, albeit the permitted scheme is nevertheless a relevant matter that I refer to below.
3. The National Planning Policy Framework (the Framework) was revised in December 2023, after the application was determined by the Council. Whilst the appellant's statement of case reflects the most recent version of the Framework, as the changes do not materially affect the main issues in this case the Council has not been invited to make further comments. Where reference is made to the Framework in this decision, the paragraph numbers are those that appear in the latest version.

Main Issues

4. The main issues are:
 - whether the proposal constitutes inappropriate development in the Green Belt;

- its effect on the openness of the Green Belt;
- if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

5. The appeal concerns a detached, chalet-style bungalow. It is set back from the road frontage and sits within a deep plot. It forms one of a row of detached dwellings which differ in terms of their individual designs but are mainly chalet-style in character and appearance and are similarly located within deep plots.
6. The site is within the Green Belt. The Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. This is subject to the exceptions listed in the Framework, which include at paragraph 154 (c) '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'.
7. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (2019) (LP) states that the construction of new buildings in the Green Belt will constitute inappropriate development, unless the building falls within the list of exceptions identified by the Framework.
8. The Framework does not define what constitutes 'disproportionate additions'. Therefore, an assessment of whether a proposal would amount to disproportionate additions over and above the size of the original building is a matter of planning judgement.
9. The dwelling has been previously extended. These include a single storey rear extension, front porch extension and roof alterations approved in 1980 and more recently, the development approved under aforementioned application ref. 23/P/00384.
10. The Council advises that the original dwelling had a floorspace of about 105sqm. Extensions to the dwelling, including those approved under application ref. 23/P/00384, resulting in a dwelling with a floorspace of 286sqm which amounts to a percentage increase in floorspace of about 172% over that the 'original' dwelling. The proposed single storey extension would add around a further 39sqm floorspace, representing an increase over and above that of the 'original' dwelling of approximately 209%. The appellant has confirmed in their statement of case that the figures calculated by the Council are broadly accepted.
11. The proposed extension would extend across much of the width of the existing dwelling and would have a height of about 3.2m and a depth of 4.1m. Based on the information before me, when taken in combination with the existing rear extension, the rear extensions would project beyond the original rear wall of the dwelling by about 8 metres.
12. Although a significant proportion of the floorspace approved under application ref. 23/P/00384 was within the existing roofspace of the dwelling, I

nonetheless conclude that the proposed rear extension, when taken in combination with previous extensions to the dwelling would result in disproportionate additions over and above the size of the 'original' building.

13. To that end, the proposal would not accord with the exception outlined at paragraph 154 c) of the Framework.

Openness

14. The Framework emphasises that a 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. Openness has spatial as well as visual aspects.
15. The proposal would result in an increase in the size and scale of the dwelling and accordingly, it would inevitably have an adverse effect, albeit limited, on the spatial aspect of openness, thus resulting in additional harm to the Green Belt.
16. The proposed rear extension would be well contained within the site with screened boundaries preventing any significant external views other than from adjoining dwellings. The proposed development would not be visible from Frog Grove Lane and accordingly, the visual effect on the openness of the Green Belt would be negligible.

Other Considerations

17. I acknowledge that the dwelling is located in a large plot and that the appellant's ownership (as denoted by the 'blue' line on the location plan) also extends to the rear of several of the frontage dwellings. The appellant highlights that the proposed built footprint would equate to 3.3% of the plot and is of the opinion that the proposed extension is proportionate to the size of the plot. I note that the development would sit within a large plot, however, the exception at paragraph 154 of the Framework relates to the size of the original building, and not plot size.
18. The appellant refers to approved extensions at 120 Frog Grove Lane and 22 Frog Grove Lane in their Design and Access Statement and suggests that these consents are a precedent for the appeal scheme. However, precise details and circumstances of these extensions were not provided and I am unable to make accurate comparisons with the circumstances of the appeal proposal.
19. The appellant highlights the sustainability benefits of the proposed development in terms of energy performance which is a positive aspect of the scheme. I also acknowledge that the proposed development would offer enlarged living accommodation which would be of personal benefit to the appellant and his family. However, these are matters which I afford only limited weight.

Planning Balance

20. The proposal would be inappropriate development which is, by definition, harmful to the Green Belt. In addition, I have found harm to the openness of the Green Belt. Paragraph 153 of the Framework makes clear that any harm to the Green Belt attracts substantial weight. The other considerations combined

provide little support for the proposal and do not clearly outweigh the harm identified. Therefore, the very special circumstances necessary to justify development in the Green Belt do not exist. Accordingly, the proposal is contrary to Policy P2 of the LP, which seeks to protect the Green Belt from inappropriate development.

Conclusion

21. I have found that the proposal conflicts with the development plan taken as a whole, and material considerations do not outweigh that finding. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR