



Appeal Decision

Site visit made on 26 March 2024 by S Wilson LL.B. MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13TH May 2024

Appeal Ref: APP/R3650/D/23/3330575

Waverley Cottage, Crooksbury Road, Tilford, Farnham, Surrey GU10 2AZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Emily Aitken against the decision of Waverley Borough Council.
 - The application Ref is WA/2023/01086.
 - The development proposed is described as: 'The proposed scheme is to create a remodel of the detached dwelling with a single storey rear and two storey side extension.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. During the application process the description of development changed from that stated on the application form. Since the main parties do not seem to have agreed the change, I have used the original description which is, in any case, sufficient for the purposes of identifying the works to which the appeal relates.
4. Areas of Outstanding Natural Beauty (AONB) are now known as National Landscapes. This has not affected the reasons for their designation or the fundamental aspects of their special qualities. I have accordingly referred to the Surrey Hills AONB as the Surrey Hills National Landscape (SHNL).

Main Issues

5. The main issues are a) whether the proposed development would be inappropriate development in the Green Belt; its effect on b) the openness of the Green Belt; c) the character and appearance of the area with specific regard to the SHNL and the Area of Great Landscape Value (AGLV); and d) protected species; and e) whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify it.

Reasons for the Recommendation

Inappropriate Development

6. There is a general presumption against inappropriate development in the Green Belt unless very special circumstances exist. The construction of new buildings should be regarded as inappropriate, but for certain defined exceptions. These are first set out by Paragraph 154 of the National Planning Policy Framework 2023 (the Framework). Specifically, and in regard to the appeal scheme, 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 might not be inappropriate development. This language is mirrored in Policy DM14 of the Local Plan Part 2 2023 (LP2) which assesses disproportionate in all cases by considering changes in scale, mass, height, and floorspace.
7. The term 'original building' is defined in the Framework as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. The original house was built in the 19th Century and extended over two storeys in 1983. Policy DM14 sets out, amongst other things, that extensions or alterations to dwellings in the Green Belt and outside of defined settlement boundaries will be considered disproportionate if the increase in the floorspace, over that of the original, is 40% or more. The Council suggest that proposal would add approximately 121 square metres (sqm), a 148.4% increase over the original. A previous extension represented a 53.33% uplift.
8. The appellant disagrees, stating that the existing floorspace should represent the 'original dwelling', and arriving at a figure of 159.8 sqm including the external garage, sheds and garden room. This does not accord with 'original' as set out in the Framework. Furthermore, Policy DM14 explains that only the percentage of habitable floor space is relevant, which garages and sheds are not. I am satisfied therefore that the original dwelling was more likely as described by the Council. Consequently, the appeal scheme proposes development 40% or more above the original floorspace.
9. The Framework considers additions which are more than just floorspace. In this context, the proposed development would make the building noticeably larger in terms of scale and volume such that, when also taking into account what has gone before, it would represent disproportionate additions over and above the size of the original building. The removal of the garage would offset the amount of new building but would not bring it down to a sufficiently low level to make it acceptable in Green Belt terms. The appeal scheme would therefore be inappropriate development in the Green Belt which would be harmful by definition. It would also conflict, as I have explained, with the Green Belt protection aims of Policy DM14.

Openness

10. The Framework sets out that the essential characteristics of Green Belts are their openness and permanence. The fundamental aim of Green Belt policy being to prevent urban sprawl and keep land permanently open. There is a spatial and visual aspect to openness. The former can be taken to mean the absence of built form. The proposal would involve such, in terms of location and overall scale and mass of some substance, where it was not before. The visual effect of it might be limited in its obviousness due to the surrounding vegetation but there would, in any case, be an unavoidable reduction in the

spatial aspect of the Green Belt's openness. This harm would be as well as the inappropriateness of the proposals and further conflict with the Green Belt provisions of the Framework.

Character and Appearance

11. The SHNL is designated for, amongst other things, its woodland; heathland; tranquillity; commons; dark skies; farmland; historic buildings and views. The existing building is a well settled 19th Century cottage in a wooded but distinctly rural and largely undisturbed setting. It uses traditional materials and features quality in its originality. These factors contribute positively to the special qualities of the SHNL and the AGLV.
12. There would be considerable additional bulk added to the building which, by this virtue, would subsume the original cottage and consequently dilute its traditional proportions. Particularly when viewed from the rear. The scheme would use some befitting materials, but some parts include large modern fenestrated apertures which would jar with the more modest scale of the corresponding ones on the host building. There is an offer to change this detail but in the absence of any plans to show what to, it is inherently difficult to ascertain their effectiveness as part of the scheme.
13. The degree of relative seclusion garnered by the wooded surroundings would reduce the public realm effects of the scheme. This would not however be sufficient to make the design and size of the alterations acceptable. Further, I disagree that the demolition of the garage would be a material improvement in the landscape character of the area. It is a simple form and clad in natural materials which are in keeping with the cottage. The benefits of its removal would not therefore be sufficient to lessen the harm I have found to the character and appearance of the area and, by association, the special qualities of the SHNL and the AGLV. Consequently, the proposal would contrary to Policies TD1 and RE3 of the Waverley Borough Local Plan Part 1 2018 (LP1), Policies DM4 and DM15 of LP2 and the Residential Extensions SPD. Together, and amongst other things, these policies and guidance seek design that protects and enhances the SHNL and recognises and responds to the distinctive character and pattern of development in rural areas.

Protected Species

14. Given its location directly adjacent to woodland, the proposed demolition of an outbuilding and some works to certain sections of the building, there is the likelihood that protected species may be affected. This is principally with bats in mind but, taking a precautionary approach, could involve habitat or feeding grounds for other protected species.
15. There is a willingness for additional surveys to take place which may shed some light on the likely effect. The appellant suggests these could be secured by conditions. That said, there may be some information drawn out of surveys which has implications for the design, materials or location of elements of the scheme which could not be changed once they have been granted planning permission. It would therefore be important for it to be available at this stage to avoid trying to lock the door after the horse has bolted.
16. With this and the above in mind, I cannot be certain the appeal scheme would not have an adverse effect on protected species. As such, and in its current

guise, the proposed development would conflict with Policy NE1 of LP1, DM1 of LP2 and the relevant paragraphs of the Framework. Together, and amongst other things, these seek to ensure that any biodiversity impacts are appropriately mitigated and/or avoided.

Other Considerations

17. Some neighbours support the proposal and there is a lack of harm to their living conditions. Whilst this may lead to some compliance with the development plan and the Framework, this would be a neutral matter and not weigh in favour of the scheme.
18. The appellant cites poor internal design for family living, sustainability and comfort values, longevity of the property and added value as reasons that should be afforded weight in favour of the scheme. However, there is no compelling evidence to demonstrate these are more than assertions and/or benefits of a private nature. As such they attract limited weight.

Conclusion and Recommendation

19. Inappropriate development is, by definition, harmful to the Green Belt. There would be further harm to the Green Belt in terms of a reduction in its openness. The proposed development would cause harm to the character and appearance of the area, and it has not been satisfactorily demonstrated that it would be acceptable in terms of protected species.
20. I have explored the other considerations raised but given the weight they would attract, set against the substantial weight that should be ascribed to any harm to the Green Belt, makes it evident that they would not be capable of clearly outweighing said harms. The very special circumstances needed to justify the proposals do not therefore exist. This and the conflict with the development plan that would arise from the proposed development, in the absence of any sufficiently weighty material considerations to indicate to the contrary, leads me to recommend the appeal be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

21. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR