
Appeal Decision

Site visit made on 5 June 2024

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Appeal Ref: APP/R3650/D/23/3332027

Orchards Farmhouse, Munstead Heath Road, Guildford, Surrey GU8 4AR

- 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 Mr Nick Brind against the decision of Waverley Borough Council.
 - The application Ref is WA/2022/02717.
 - The development proposed is the demolition of modern chimney and first floor structure, erection of replacement first floor structure and alterations. Replacement double glazed windows to kitchen, boot room, study and new first floor works over.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (a) whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
 - (b) the effect of the proposal on the openness of the Green Belt; and
 - (c) whether any 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

3. The National Planning Policy Framework (the Framework) advises that in the Green Belt, development should be regarded as inappropriate. However, Paragraphs 154 and 155 set out certain circumstances where a development would not be considered inappropriate development in the Green Belt.
4. The appellant refers to the proposal being an infill development, in line with the Framework. I have taken this to mean a reference to Paragraph 154(g). The Framework does not define infilling, but it is commonly understood to comprise the development of a small gap between buildings in an otherwise continuously built-up frontage. This is an entirely reasonable definition for the purpose of considering this exception. Within the context of the current proposal, the scheme would not result in the filling of a small gap in an otherwise built-up frontage.

5. Paragraph 154(c) of the Framework does however state that the extension or alteration of a building is not inappropriate development in the Green Belt provided it does not result in disproportionate additions over and above the size of the original building.
6. The Framework explains that the "original building" shall mean the building as it existed on 1 July 1948, or if constructed after that date as originally built. The Framework does not explain what is meant by 'disproportionate', which is therefore a matter of planning judgement.
7. Policy RE2 of the Waverley Local Plan Part 1 2018 (LPP1) broadly seeks to ensure that development accords with national policies. Policy DM14 of the Waverley Local Plan Part 2 2023 (LPP2) 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.
8. The proposal is said to add just over 17m² to the building. However, the building has been subject to previous extensions. From the substantive evidence before me, it appears that the floorspace of the original house has already roughly doubled. The totality of the increase over the original would be comfortably above the 40% threshold and therefore the scheme would conflict with Policy DM14.
9. The Framework considers 'additions' and not solely floorspace. The proposed development would add more volume to the roof. This would make the building noticeably larger such that, when also taking into account what has gone before, there would be disproportionate additions over and above the size of the original building.
10. The appeal scheme would therefore be inappropriate development in the Green Belt which would by definition be harmful to the Green Belt. This would conflict with the Green Belt protection aims of Policy RE2 of LPP1 and the Framework as well as DM14 of LPP2 as I have already explained.

Openness

11. Openness is an essential characteristic of the Green Belt. A fundamental aim of Green Belt policy is to prevent urban sprawl and keep land permanently open. There are two aspects to openness: spatial and visual. Whilst the situation of the house relative to surrounding areas would reduce the effect of the scheme on the visual aspect, the proposal would nonetheless involve some physical enlargement of the building into an area where there is currently none.
12. Whilst this increase would be limited and thus the overall effect would be localised, some small harm to the openness of the Green Belt would nevertheless occur.

Other Considerations

13. No objections have been raised to such matters as the impact on the wider landscape or nearby trees. Furthermore, there were no objections on highways grounds or from neighbours or the Parish Council. I also note that the Council has not raised any concerns regarding the design of the works. All these factors would however represent a lack of harm rather than matters which weigh

positively in favour of the scheme. Accordingly, they would be neutral in any balance.

14. The Council may have approved previous extensions and this current scheme may be small in comparison. However, that does not absolve me from making an assessment as to its effects in regard to the main issues of the case.

Green Belt Balance

15. I have found the scheme to represent inappropriate development in the Green Belt, and in addition to cause a reduction in its openness. In accordance with the Framework, any harm to the Green Belt should be ascribed substantial weight and such development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is not just outweighed but clearly outweighed by other considerations.
16. I have examined the other considerations raised in favour of the proposal but given the weight they would attract, they would not be capable of clearly outweighing the harm to the Green Belt. The very special circumstances needed to justify the proposal do not therefore exist.

Conclusion

17. Overall, the development would cause harms which would conflict with the development plan when taken as a whole. There are no material considerations, including the Framework, that indicate the decision should be made other than in accordance with the development plan.
18. Therefore, for the reasons given, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Stewart Glassar

INSPECTOR