



Appeal Decision

Site visit made on 3 December 2024

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2024

Appeal Ref: APP/Y3615/D/24/3346150

1 White Hart Lane, Wood Street Village, Guildford, Surrey GU3 3DZ

- 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 A and G Marti against Guildford Borough Council.
 - The application Ref is 23/P/01976.
 - The development proposed is described as proposed new front porch and raising the roof to create increased habitable accommodation.
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Decision

1. The appeal is allowed, and planning permission is granted for the proposed new front porch and raising the roof to create increased habitable accommodation at 1 White Hart Lane, Wood Street Village, Guildford, Surrey GU3 3DZ in accordance with the terms of the application, Ref 23/P/01976, 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 drawing nos: WHL/03/A, WHL/04/B, WHL/05/B, WHL/06/D and WHL/07/A.
 - 3) The external materials of the extensions hereby permitted shall match those used in the existing building/dwelling.

Main Issues

2. The main issues are:
 - Whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework¹ (the Framework) and any relevant development plan policies and its effect on openness; and
 - 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. Policy P2 of the Guildford Borough Local Plan Strategy and Sites 2015-2034 (GSS) adopted April 2019 is consistent with the Framework in providing that

¹ Issued 12 December 2024

inappropriate development will not be permitted unless very special circumstances can be justified or where they would meet the specific exceptions as contained in the Framework.

4. Paragraph 154 of the Framework states that the construction of new buildings in the Green Belt is inappropriate subject to a number of exceptions. In this particular case the most relevant exception is set out at paragraph 154, criterion 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. Neither the GSS nor the Framework provide a definition of 'disproportionate additions' and therefore an assessment of whether a proposal would amount to a disproportionate addition over and above the size of the original building is a matter of planning judgement.
5. In assisting determining what constitutes a disproportionate addition, the Council has produced guidance² which states it does not define a particular floorspace or volume percentage which developments should be below in order not to be considered disproportionate, as this is an over-simplification and reduces flexibility in decision making. Instead, consideration of a) mass, bulk, external dimensions, footprint and height; b) scale of the existing property relative to its plot size; and c) the visual perception of the proposal are all relevant factors that need to be considered in the round.
6. The baseline in each case is the 'original building'. This is defined in GSS Policy P2 as the building as it existed on 1 July 1948 or, if no building existed on 1 July 1948, then the first building as it was originally built after this date. The original property has been subject to permissions³ for various development in the past, including a side extension, a rear extension and a new porch (albeit the porch has not been constructed). Consequently, the current footprint of the existing house is 77% larger than that of the original dwellinghouse.
7. The proposal seeks to provide a new porch and additional accommodation at the roof level through the provision of a roof extension including an approximate 0.9m increase in the roof height. In terms of the footprint this would result in a further increase to 84% over the original dwellinghouse, albeit this footprint has previously been found acceptable by the Council in the now lapsed permission⁴. Nevertheless, the proposal before me would result in an increase in mass, bulk, external dimensions, footprint and height of the existing property, albeit modest.
8. In regard to the scale of the existing property relative to its plot size, the main impact of the proposal would be experienced at the roof level, with an alteration to the roof form including raising the eaves and the ridge height of the existing property, along with the provision of the porch at the front. The appeal site occupies a fairly large plot and the proposed development would mainly be contained within the dimensions of the existing property. Whilst there would be a noticeable increase in built form, particularly at the roof level, this would be modest and as such relative to the overall plot size.
9. Regarding the visual perception of the scheme, the appeal site is situated at the end of a row of detached properties in White Hart Lane creating a rural

² Green Belt - Supplementary Planning Document (SPD) – November 2023

³ Guildford Borough Council Planning Refs: 10/P/00793, 11/P/01167, 15/P/02411 and 20/P/00447

⁴ Guildford Borough Council Planning Ref: 20/P/00447

cul-de-sac. Despite their distinct rhythm, the properties have been altered over time including side and rear extensions, loft conversions and alterations to roofs. The properties are set back from the street and behind a well-established verdant strip of land providing a buffer essentially screening these properties from public views along the street.

10. Whilst I acknowledge that views of the proposal would be more apparent from the open land to the south of the site, these views would be limited by existing trees and shrubs providing a good screen and would be located within an existing pattern of development.
11. The use of the half-hipped roof sections reduces the overall bulk of the scheme at the upper floor and given the proposal has a comparable footprint to the existing property, it is considered proportionate in terms of its scale. Given its relatively secluded position, set amongst existing development, in this context the proposal would not represent a visually dominant or bulky form. Subsequently, the proposal would have a minimal visual impression or impact on its surroundings.
12. Overall, I am satisfied that the proposed extensions would complement the existing structure in a manner that would not be disproportionate to the original dwelling. Therefore, I conclude that the proposal would not be inappropriate development in the Green Belt in accordance with the Framework and GSS Policy P2.
13. In terms of effect on openness I have concluded that the proposal would not be inappropriate development. In accordance with established case law⁵ it should not be regarded as harmful either to openness of the Green Belt or to the purposes of including land in the Green Belt. Because of my findings it is also not necessary to consider whether very special circumstances exist.

Conditions

14. To meet legislative requirements, a condition is imposed to address the period for commencement. A condition is imposed to ensure that the development is carried out in accordance with the approved plans, in the interests of certainty. A condition is also necessary to ensure that materials match the existing property and protect the character and appearance of the host building and surrounding area.

Conclusion

15. For the reasons given I conclude that the appeal should succeed.

Robert Naylor

INSPECTOR

⁵ Lee Valley Regional Park Authority, R (on application of) v Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 404.