



Appeal Decision

Site visit made on 4 February 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 14th February 2025

Appeal Ref: APP/D3640/D/24/3350637

Fairways, Priest Lane, West End Woking GU24 9NA

- 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 & Mrs A Hayton against the decision of Surrey Heath Borough Council.
 - The application Ref is 24/0167/FFU.
 - The development proposed is to reconfigure the design of the front elevation 'Lounge' bay window, increase the height of the bay window, install a feature window at high level, add 2No. pitched roof/gable end dormers to the front elevation roof space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council amended the description of development to refer to a two storey front extension, whereas the plans indicate that the proposal relates to the upward extension, with alterations of the existing bay window. I do not therefore consider it necessary to amend the description of development as set out on the application forms.
3. The National Planning Policy Framework (Framework) was revised in December 2024. I do not consider that there are any material changes in the Framework, pertinent to this appeal proposal. It is not therefore necessary to seek the views of the Appellant or the Council on the revised Framework.

Main Issues

4. The main issues in this appeal are
 - Whether the development would be inappropriate development within the Green Belt and its effect on openness, and
 - If the development would be inappropriate, 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 necessary to justify the proposal.

Reasons

Inappropriate development

5. The appeal property is a detached dwelling on the east side of Priest Lane within a group of four detached dwellings with commercial uses to the immediate south and otherwise surrounded by open land and woodland. The site lies within the Green Belt.
6. The proposal seeks to extend vertically the existing central front bay under a gable end roof and introduce two dormers either side of the extended central bay on the front roof slope.
7. Paragraph 154 of the Framework sets out that the construction of new buildings in the Green Belt is inappropriate except for a limited number of exceptions including the extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building. The term disproportionate is not further defined. The Council has not referred to any development plan policy but relied on the Framework.
8. The proposed development would not extend the footprint of the building and would add limited additional floorspace and volume to the existing building, because of the nature of the proposals. However, the Appellant is seeking to compare, in percentage terms, the proposed increases against the existing building, whereas the Framework is clear that the consideration relates to a comparison with the original building. Although individual developments and proposals may be very modest, this approach seeks to safeguard against cumulative increases which, when taken altogether, could create an increase which is disproportionate to the size of the original dwelling.
9. The Council has referred to a number of previous extensions undertaken at the property and taken together with the proposal the subject of this appeal would amount to a 231% increase over the size of the original property in floorspace terms. The Appellant has not contended these figures in relation to the original dwelling.
10. Although the proposal would not in itself add significantly to the increase in floorspace, the increase in the size and height of the front bay as well as the introduction of two front dormers would add to the overall massing of the dwelling and it would become a more prominent building when approaching along Priest Lane. This would have some effect on the openness of the Green Belt, particularly in visual terms.
11. Taking all these factors into account, and having regard to the Framework, it is my view that the proposed extension would be a disproportionate addition to the original house and would therefore be inappropriate development. The extension would also harm the openness of the Green Belt through the introduction of new built form.

Other Considerations

12. Other than in respect of Green Belt grounds, there are no objections to the proposed extension. The design approach would respect the existing design of the main dwelling, but a high standard of design approach is to be expected in accordance with national and local plan policies. Therefore, the absence of any

other harm does not provide weight in favour of the proposal but is neutral in my overall assessment.

13. The Appellant has contended that further extensions could be built at the property using permitted development rights and has referred to an additional extension at ground floor to the rear as well as the enlargement of the rear dormer. Although there is no formal confirmation that such works might be undertaken under permitted development rights, for example through a Certificate of Lawfulness of Proposed Development, I have taken into account that there may be permitted development options available at the property. I therefore necessarily attach a greater than theoretical possibility that further development could take place at the property, utilising permitted development rights which would potentially result in a greater uplift in floorspace and volume than the proposal before me. The Appellant has therefore offered to accept a condition to remove permitted development rights under Classes A and B of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.
14. However, a condition removing permitted development rights would only take effect once the permission is implemented. Consequently, I am not satisfied that any further permitted development extensions could be prevented through the imposition of a condition, but would require a S106 obligation, in which the Appellant would covenant to forgo relevant permitted development rights immediately upon the issue of the planning permission. In the absence of such an Agreement, the weight I can attach to this argument is significantly reduced.

Conclusion

15. The proposal would be inappropriate development within the Green Belt and would harm openness. In accordance with the Framework, substantial weight should be given to any harm to the Green Belt. Even taken together, the other considerations put forward provide little support for the scheme. Therefore, they do not outweigh the harm to the Green Belt and 'very special circumstances' do not exist. Therefore, the proposed extension would not accord with the development plan and there are no other material considerations to outweigh that finding.
16. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR