



Appeal Decision

Site visit made on 20 January 2025

by **E Catcheside BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th February 2025

Appeal Ref: APP/Y3615/D/24/3346176

Brambles, Malacca Farm, West Clandon, Surrey GU4 7UQ

- 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 John Hales against the decision of Guildford Borough Council.
 - The application Ref is 22/P/01288.
 - The development proposed is construction of 2 storey side extension and single storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (a) whether the proposal would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies, (b) the effect of the proposal on the openness and purposes 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 appeal site lies within the Green Belt. Paragraph 154 of the Framework sets out that development in the Green Belt is inappropriate, other than in a few exceptions including 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. Policy P2 of the Guildford Borough Local Plan: strategy and sites 2015-2034 (Adopted 25 April 2019) (LP) also resists inappropriate development in the Green Belt, with reference to the requirements of the Framework.
4. The existing floorspace of the property is 178 square metres. However, paragraph 154c) of the Framework refers to the dimensions of the original building, which is defined in the Framework and Policy P2 of the LP as 'a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built'. It is common ground that the property has previously been extended to the side, and the Council has calculated that the original building had a floor space of just over 106 square metres. This figure has not been disputed by the appellant. Therefore, I have taken this figure as the baseline for assessing the proposal against paragraph 154c) of the Framework.

5. The Framework does not define “disproportionate”. Therefore, it is ultimately a matter of planning judgement as to whether the proposal would result in a disproportionate addition over and above the size of the original building. However, the Green Belt Supplementary Planning Document (November 2023) states that the mass, bulk, external dimensions, footprint, and height should be taken into account in making this assessment, along with the scale of the existing property to its plot size, and the overall extent of its visual perception.
6. The proposal would enlarge the host property by erecting a two-storey side extension, which would exceed the width and height of the store to be demolished. It would also involve the erection of a ground floor rear extension, thus increasing the depth of the building. When taken together with the large two-storey extension that has already been carried out at the property, the proposed development would result in a 118.6% increase in floorspace, and the dwelling would be substantially wider and deeper than the original building.
7. Consequently, whilst the extensions would be reasonably modest in context with the scale of the building as it stands today and the spacious grounds, the proposal would nonetheless result in disproportionate additions over and above the size of the original building. It follows that the proposal would be inappropriate development in the Green Belt as is defined by the Framework. Inappropriate development is, by definition, harmful to the Green Belt.

Openness and purposes

8. Openness, which the Framework states is an essential characteristic of the Green Belt, can be perceived visually and spatially. The proposed development would be largely screened from public and private vantage points due to the large plot size and the extensive planting on the site boundaries. However, due to its height, there would be some views of the side extension from Malacca Farm and neighbouring properties. Given the proposed increases in the width, depth and height of the existing building, the development would occupy ground and air space that is currently devoid of built form. It would therefore reduce the openness of the site, albeit at a modest and very localised level.
9. Given the development would be confined to the grounds of Brambles, there would be no conflict with the Green Belt purposes listed in paragraph 143 of the Framework, including a) to check the unrestricted sprawl of large built-up areas and c) to assist in safeguarding the countryside from encroachment.

Other considerations

10. The proposal would provide additional living accommodation for the appellant and any future occupiers of the dwelling. However, there is limited evidence before me to indicate that the existing accommodation is sub-standard, which limits the weight that can be afforded to this benefit.
11. My attention has been drawn to a fallback position, in that the host property benefits from a Certificate of Lawful Development (CLD) which confirms that a single-storey side extension and a two-storey rear extension would fall within permitted development rights (CLD reference 21/P/02682, dated 13 June 2022). Given the appellant’s desire for additional living accommodation, there is more than a reasonable prospect that the CLD scheme would be implemented if the appeal fails. It is therefore a viable fallback position.

12. The two-storey rear extension in the CLD scheme would be a substantial structure that would extend across half of the width of the existing dwelling, thus adding significant bulk and mass to the rear of the property. Indeed, the CLD scheme overall would increase the size of the original building by a larger proportion than the appeal scheme.
13. However, whilst the footprint of the proposed side extension would overlap with that of the side extension in the CLD scheme, the same cannot be said for the rear extension proposals. Therefore, it is entirely feasible that both the two-storey rear extension in the CLD scheme and the single-storey rear extension in the appeal proposal could be implemented if the appeal were allowed. Cumulatively, the two schemes would deliver a considerable amount of additional built form, with a significantly greater loss of openness than either of the schemes in isolation. In the absence of an enforceable mechanism to prevent this scenario from occurring, I attach limited weight to the LDC as a fallback in my consideration of this appeal.

Other Matters

14. No harm has been identified in the Council's reasons for refusing the proposal in respect of the design of the development or its impact on local character and the living conditions of neighbours. Based on the evidence, and my own observations, I have no reason to take a different view on these matters. There is also no evidence of objections from third parties. However, the absence of objection does not in and of itself render the scheme acceptable.

Green Belt Balance

15. The proposed development would cause harm to the Green Belt by way of its inappropriateness and loss of openness, and it should not be approved except in very special circumstances. I ascribe substantial weight to this Green Belt harm.
16. Whilst I recognise the appellant's desire for additional living space, there are no very special circumstances before me to indicate that this inappropriate development should be approved. It follows that the proposed development would be contrary to Policy P2 of the LP, and the Framework, insofar as they seek to resist inappropriate development in the Green Belt except in very special circumstances.

Conclusion

17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, the appeal should be dismissed.

E Catchside
INSPECTOR