



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: 19th February 2025

Appeal Ref: APP/Y3615/D/24/3353620

2 Grove Heath North, Ripley, Woking GU23 6EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr Matthew Whaley against the decision of Guildford Borough Council.
 - The application Ref is 24/P/00944.
 - The development proposed is single storey rear extension; front porch extension, roof alterations including dormer windows and fenestration changes.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. 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.
3. There is no disagreement between the Appellant and the Council that the appeal site lies within the Green Belt. The Appellant has advised that it is common ground between him and the Council that the proposal does not conflict with Green Belt policy. This was addressed by the Council in its officer's report but given its conclusion that there were very special circumstances that would clearly outweigh the harm caused by reason of inappropriateness, Green Belt matters did not form a reason for refusal.
4. However, the appeal is now before me and it is incumbent on me to consider all relevant issues afresh, including whether the proposed development would be inappropriate development in the Green Belt 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.

Main Issues

5. The main issues in this appeal are:
 - Whether the development would be inappropriate development within the Green Belt and its effect on openness, and

- the effect of the proposal on the character and appearance of the existing dwelling and on the local area.
- 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

Whether inappropriate development

6. The appeal property is a detached chalet bungalow on the north east side of Grove Heath Lane with a wide variety of detached houses, bungalows and chalet dwellings on both sides of the road. The dwelling as existing has had a number of extensions and alterations as seen at my site visit and as set out in the Council's application report. The appeal site benefits from a very generous rear garden with open land beyond. The site lies within the Green Belt.
7. The proposal seeks a rear extension, a front porch and works to the roof including a hip to gable roof extension with front and rear dormers.
8. 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 referred to Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (Local Plan) which indicates that Green Belt policy will be applied in accordance with the Framework.
9. The Council has set out that the proposed extensions when taken together with the existing extensions already undertaken would result in a 269% increase in the size of the original dwelling, when measured in floorspace terms. They would add considerably to the overall floorspace, footprint and bulk and massing of the existing building.
10. Having regard to the Framework and Policy P2 of the Local Plan, it is my view that the proposed extensions, when taken together with the existing extensions already undertaken, would be a disproportionate addition to the original house and would therefore be inappropriate development.
11. The proposal would extend the footprint of the dwelling as well as in floorspace and volume terms, and the enlarged roof together with the sizeable extensions would significantly increase the bulk and massing of the dwelling. It would become a more prominent building in the street scene. This would have some effect on the openness of the Green Belt, in both spatial and visual terms, although the overall impact would be limited because of its siting in between other dwellings. The extension would therefore also result in some limited harm to the openness of the Green Belt, in both spatial and visual terms, through the introduction of new built form.

Character and appearance

12. The dwelling has previously been extended and as a result has an irregular form and a number of different roof forms, including areas of flat roof and sloping roofs

as well as hipped roofs. The proposal before me would seek to extend the floorspace, particularly at the rear and change the roof forms, including to increase and improve the accommodation at first floor level.

13. The front porch would be a small element and in proportion with the scale and massing of the existing dwelling and the proposed hip roof would be in keeping with the other hipped roofs on the existing building. Taken on its own the hip to gable roof extension would be acceptable and in proportion with the existing building and would not extend the existing ridge height.
14. The Council has raised a concern about the front and rear roof dormers that would not accord with its guidance as set out in the Residential Extensions and Alterations SPD (SPD). The SPD indicates that dormers should normally be placed on rear roof slopes and that flat roof dormers are not generally supported. However, both dormers would be set down from the roof ridge and set in from the gable sides and would therefore appear subordinate to the main roof. Given the size and dimensions of the roof space and the avoidance of raising the ridge height, I consider that the flat roofs to the dormers would be an appropriate design response to avoid them being an over dominating presence on the roof. Similar dormers are already present in the street scene, which I saw on my site visit, and given the variety in the style and design of dwellings, I do not consider that the introduction of the proposed dormer on the front roof slope would detract from the street scene.
15. The rear extension would be both deep and wide but it would reflect the proportions of the existing dwelling and assist in integrating the current disparate elements of the dwelling. It would introduce a number of different roof elements but would again seek to unify the different roof forms that already exist and would step down from the roof to the rear. It would have very limited impact on the varied street scene, being sited at the rear.
16. I am therefore satisfied that the proposal would not harm the character and appearance of the existing dwelling and the street scene. There would be no conflict with Policy LNPH3 of the Lovelace Neighbourhood Plan, Policy D1 of the Local Plan, Policies D4 and H4 of the Guildford Borough Local Plan: Development Management Policies (2023) and the Framework and in particular Section 12, all of which amongst other matters seek a high standard of design which respects the local context.
17. The proposal would not fully accord with all the guidance in the Council's SPD and in particular on the form of the roof dormers. However, I have found that the proposed development, taken as a whole, would be well designed and would respect the character and appearance of the property and of the local area, which is the objective of the SPD. In the particular circumstances of this case, I am therefore satisfied that would be justification for an exception to be made to these parts of the SPD.

Other Considerations

18. The appeal property benefits from a number of certificates of proposed lawful development, including for a single storey rear and side extension under the Council's Ref: 23/P/01849, an 8m rear extension under the Council's Refs: 23/W/00073 and 22/W/00098 and a part approval / part refusal for a front porch

extension, single storey side extension, roof adjustment and enlarged rear dormer, single storey rear extension and changes to fenestration under the Council's Ref: 23/P/00999.

19. Having regard to the relevant case law, if the development which could take place is more than a theoretical possibility, then it is material. Secondly, only if it satisfies that requirement does any assessment of its weight fall to be determined. Given the existence of the lawful development certificates for various permitted development options then there is a greater than theoretical possibility that such development might take place, were I to dismiss this appeal.
20. Turning to matters of weight, the lawful development certificates that have been granted would result in a greater footprint and a larger uplift in floorspace than the proposal before me. The implementation of the permitted development schemes would therefore have a greater impact on the openness of the Green Belt than the appeal scheme.
21. However, the weight I can afford to the fallback position is reduced in two ways. First, the Appellant has acknowledged that by implementing the permitted developments as confirmed under the lawful development certificates the result would be, using the Appellant's words at 5.3 of the appeal statement, 'a discordant and convoluted series of extensions that would harm the character of the building and the area'. In a number of places in his statement, the Appellant has contended how poorly the permitted development fallback schemes would relate to the existing building. Whilst the position is not clear, it does raise the question as to whether the Appellant would therefore wish to undertake those specific works given the resulting effect on the character and appearance of his building.
22. Secondly the permitted development schemes include for a side extension which would not form part of the proposal before me. However, it is not clear to me whether a side extension could still be erected under permitted development, even if I were to allow the appeal. On that basis the potential benefits in terms of a reduction in openness would be substantially reduced, if not removed.
23. The Appellant has not offered not to proceed with any or all of the permitted development schemes and there is no mechanism before me, such as through a planning obligation, to prevent these schemes, or an alternative form of permitted development from coming forward.
24. These considerations therefore modify the weight that I can attach to the permitted development schemes which have been put forward.

Planning Balance and Overall Conclusion

25. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to advise that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
26. The other considerations put forward do not clearly outweigh the substantial weight that I give to the harm to the Green Belt, by reason of inappropriateness and the additional harm to openness. Consequently, the very special circumstances

necessary to justify the development do not exist. Therefore, the appeal scheme conflicts with the development plan and the Framework, when taken as a whole.

27. 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