



Appeal Decision

Site visit made on 29 November 2022

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2022

Appeal Ref: APP/A3655/D/22/3295658

89 Saunders Lane, Mayford, Woking GU22 0NR

- 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 M/s Julie Fletcher against the decision of Woking Borough Council.
 - The application Ref: PLAN/2021/1202, dated 12 November 2021, was refused by notice dated 14 January 2022.
 - The development proposed is the erection of a first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor side extension at 89 Saunders Lane, Mayford, Woking GU22 0NR in accordance with the terms of the application, Ref: PLAN/2021/1202, dated 12 November 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan dated 4 November 2021, Block Plan dated 4 November 2021, Existing floor plans and elevations Drawing number 23/21, and Proposed plans and elevations Drawing number 23/21/1.
 - 3) Notwithstanding condition 2, no development shall take place until existing and proposed west elevation plans have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved plans.
 - 4) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights, doors, or other openings shall be constructed on the west or east elevations of the development hereby permitted.

Main Issue

2. The main issue is whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.

Reasons

3. The appeal site is half of a pair of semi-detached houses with driveway to the front and garden to the rear, located within the Green Belt. It is compact and modest in size, with a front porch and single storey side and rear extensions, which include a small garage and conservatory. It is proposed to erect a first floor side extension above the existing garage and bathroom, which would have a set back front elevation and a rear elevation which would project slightly from that of the existing first floor.
4. Paragraphs 147 and 148 of the Framework advise that substantial weight should be given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 of the Framework advises that the construction of new buildings should be regarded as inappropriate in the Green Belt, but exceptions include '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'. The glossary to the Framework confirms 'original building' means a building as it existed on 1 July 1948 or, if constructed after that date, as it was built originally.
5. Policy CS6 of the Woking Core Strategy (2012) (WCS) outlines that the Green Belt will be protected from harmful development and strict control will apply over inappropriate development, as defined by the Framework. Policy DM13 of the Woking Development Management Policies Development Plan Document (2016) (WDMP) reflects the advice of the Framework with regard to extensions and alterations to buildings in the Green Belt.
6. The supporting text to Policy DM13 explains that the Framework does not elaborate as to what may comprise a disproportionate extension to a building, but that different locations and forms of development present different site specific characteristics and that any proposal will be judged on its own individual merits. The supporting text goes on to suggest that the Council's expectation is that to be acceptable, proposals will be within the range of 20% to 40% above the original volume of the building. This is not a strict limit on volume imposed by the development plan, but it would be one way of identifying disproportionate additions over and above the size of the original building. As the supporting text also indicates, it is important to consider the specific characteristics of the building and its context.
7. The Council's officer report refers to there being no planning history for the appeal dwelling, but historic maps and a site visit are stated to indicate the front porch, rear extension, rear conservatory and part of the single storey side extension were erected after 1 July 1948. I have not been provided with those historic maps, but I note the pre-1948 maps¹ provided by the appellant suggest the appeal dwelling previously had historic side and rear projections, roughly symmetrical with the other half of the semi-detached pair.
8. The Council's officer report suggests the original volume of the appeal dwelling amounted to 198.57 cubic metres, comprising the 2 storey parts of the appeal dwelling and its single storey side element. The appellant disputes this figure, claiming pre-1948 maps showing side and rear projections suggest the volume of the original building may have been greater, but no alternative original

¹ Historic Ordnance Survey maps dated 1916 and 1934

volume has been provided. It is stated that the volume of the appeal dwelling as proposed would amount to 314 cubic metres. The Council advises that this figure excludes the front porch. The information therefore suggests that the proposal, together with what the Council describes as previous non-original extensions to the appeal dwelling excluding the front porch, would amount to a 58% increase in volume.

9. Mathematically, a 58% increase in volume over that of the original building would be significant. However, it does not necessarily follow that the proposal would result in disproportionate additions over and above the size of the original building solely on account of those calculations.
10. It is relevant to note that the appeal dwelling appears to be much smaller in volume and footprint than the other half of the semi-detached pair and many close neighbouring buildings. The other half of the semi-detached pair appears to have been extended at first floor level to the side and rear to a greater extent than the appellant proposes to extend the appeal dwelling. The appeal dwelling was originally constructed as one half of the semi-detached pair, pre-1948.
11. No increase in footprint is proposed and the appeal dwelling would remain modest in size. The pre-1948 maps suggest the volume of the original building may have been greater than presented in the Council's officer report. Although this has not been clearly demonstrated by the appellant, it is evident that the other half of the semi-detached pair has been extended significantly. In this context, alongside other large dwellings, the appeal dwelling would remain neatly and appropriately proportioned. The proposal would be seen and experienced as a proportionate addition to the original building. The proposal, in combination with previous extensions, would not therefore result in disproportionate additions over and above the size of the original building.
12. For the above reasons, the proposal would not comprise inappropriate development in the Green Belt because it would fall within the exception provided at paragraph 149(c) of the Framework. It would therefore accord with Policy CS 6 of the WCS and Policy DM13 of the WDMP, the requirements of which are set out above. As the proposal would comprise an exception to inappropriate development, there is no requirement for me to assess its impact on the openness of the Green Belt or to consider whether very special circumstances exist to justify the development.

Other Matters

13. The Council's decision notice includes an informative note referring to the lack of a west elevation plan. The proposal would result in a very small change to that elevation on account of its projection beyond the rear elevation of the dwelling. The minor nature of that change means the absence of a west elevation plan does not limit my assessment of the proposal or affect my reasoning set out above.

Conditions

14. To avoid any ambiguity and in the interests of clarity and enforcement, a condition requiring approval of existing and proposed west elevation plans prior to the commencement of development would be reasonable and necessary. It is also reasonable and necessary to attach a condition requiring development

to commence within the relevant timeframe, and to attach conditions specifying the approved plans and requiring the external surfaces of the proposed extension to match those of the existing house, in the interests of clarity and to ensure the development would appropriately blend with the existing building.

15. The Council has suggested a condition which would prohibit the installation of any windows or other openings in the east or west elevations of the proposal. Windows sufficient for the rooms proposed would be provided on the front and rear elevations of the proposal. Any side facing windows or other openings would potentially cause unacceptable overlooking of neighbouring properties. I therefore consider such a condition would be reasonable and necessary in this instance.

Conclusion

16. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

L Douglas

INSPECTOR