

Planning Committee

5 December 2018

Planning Appeal Decisions

The following appeal decisions are submitted for the Committee's information and consideration. These decisions are helpful in understanding the manner in which the Planning Inspectorate views the implementation of local policies with regard to the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24 September 2007) and the National Planning Policy Framework (NPPF) March 2012 and other advice. They should be borne in mind in the determination of applications within the Borough. If Councillors wish to have a copy of a particular decision letter, they should contact Sophie Butcher (Tel: 01483 444056)

1.	<p>Mr and Mrs D Chandler The Bungalow, Shophouse Lane, Albury, GU5 9EQ</p> <p>18/P/01065 - The development proposed is the erection of garage and store building to serve dwelling.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none">• The main issues are whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies, and the effect of the proposal on the character and appearance of the area having regard to its location within an area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV).• The appeal property is a detached, chalet bungalow that was built as a replacement dwelling under planning permission granted in 2014 14/P/01875. The site lies within the Green Belt, an AONB and AGLV.• There is no dispute between the parties that the proposed garage and store would be incidental to the use of the dwelling and that it should therefore be considered as an extension to the dwelling having regard to Policy H9.• The proposal would not result in the loss of a small dwelling. Neither would it impact upon the amenities enjoyed by the occupants of any adjacent dwellings. The Council is satisfied that the outbuilding would be relatively modest in size compared with the scale of the existing building and that its design and materials would be in keeping with the rural character of the site and surrounding area, without any harm to the AONB or AGLV. I do not disagree with these findings.• The Framework defines an original building as being a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built. In my view there is an inconsistency between the Council's definition and the definition within the Framework. The Council takes the view that any replacement building does not become the new original building. However, as the building that stood on the site in 1948 no longer exists, it strikes me as logical that any assessment in terms of size increase, which would ordinarily include judgements relating to mass, bulk, height and design rather than just mathematical calculations over floorspace, should relate to the replacement building rather than the building it replaced.• The applicants have referred to several other appeal decisions. Taken with the three High Court judgements that are referenced within one of those	<p>*ALLOWED</p>
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	<p>decisions, these all support the definition that is clearly stated within the Framework. Given, also the fact that the LP is of some age and pre-dates the Framework, I have relied upon the latter, being an up-to-date statement of government policy, and have taken the original building to be that which was built in 2014.</p> <ul style="list-style-type: none"> • As there was a building on the site in 1948, I am also satisfied that my approach is consistent with the definition that is given within the supporting text for Policy P2 (Green Belt) in the Emerging Local Plan. • The floor area of the existing dwelling is 142.8sqm. The proposed double garage would measure 33.4 sqm, being an uplift in floor area of 23%. In mathematical terms this is modest. I am aware that the original permission included a detached garage that has not been built but which would be capable of still being constructed as part of the extant planning permission. • Even if I am wrong, and the floorspace of the approved garage is added to the floorspace of the appeal proposal, and both are taken as an accumulation of additions to the original dwelling, by my estimate the percentage increase would still be below 40% and not unreasonable. • Having regard to the floorspace calculations and the accepted modest scale and visual impact of the proposal, it would not amount to a disproportionate addition to the original dwelling. • For this reason, the erection of the garage and store would not be inappropriate development in the Green Belt. Implicit within that conclusion is that the proposal would not have an unacceptable impact upon the essential characteristics of the Green Belt, namely its openness and permanence. There would therefore be no conflict with LP Policies RE2 or H9 or with the Framework. Neither have I been presented with any evidence that there would be conflict with emerging Local Plan Policy P2. • There is a suggestion by the Council that the proposal would encroach beyond the residential curtilage of the property and into agricultural land. There is no substantive evidence to support this assertion and from my own observations the position of the proposed garage, adjacent to an existing turning area, would be on a sliver of land that lies between an access drive leading to The Bungalow and the highway along Shophouse Lane. I could detect no obvious agricultural purpose for the land that could potentially be lost. • For the reasons given, and in the absence of any other conflict with the development plan, the appeal is allowed. 	
2.	<p>Mr and Mrs Simon Stevenson The Log Store, Withies Lane, Compton, GU3 1JA</p> <p>18/P/00688 - The development proposed is the erection of a side extension to provide a bedroom and bathroom.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies. • The effect of the proposal on the openness of the Green Belt. • The effect of the proposal on the character and appearance of The Log Store and the Compton Conservation Area; and • If it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other 	* ALLOWED

considerations so as to amount to the very special circumstances necessary to justify the development.

- The appeal property is a detached dwelling located outside of a defined settlement boundary and within the Green Belt. The Framework explicitly states that inappropriate development is, by definition, harmful to the Green Belt and that a local planning authority should regard the construction of new buildings as inappropriate provided that it does not result in disproportionate additions over and above the size of the original dwelling.
- The building was originally a small stone log store. It was converted to a dwelling following a grant of planning permission in 2004. At the time of my visit the first floor covered the entire footprint of the building, although with very limited headroom due to the single-storey height of the building and pitched roof over. It would appear therefore that some further additional floorspace has been added to the original building over and above that which was permitted in 2004.
- An increase in floorspace to the scale proposed would be significant in relation to the floorspace of the original building, almost doubling its size.
- Furthermore, the extension would be over half the width of the existing building and larger in depth. Although its ridge height would be lower, my overall impression is that it would appear as an obvious addition to one side of the existing building that would noticeably alter and enlarge the proportions of the original and with a noticeable increase to the scale, mass and spread of floorspace, I find that the proposal would amount to a disproportionate addition over and above the size of the original building. It would therefore be inappropriate development in the Green Belt for the purposes of the Framework.

The effect of the proposal on the openness of the Green Belt.

- The proposal would encroach into garden land to the side of the appeal property that is currently open. As such, there would be some loss of openness to the Green Belt notwithstanding the modest size of the extension. This must be regarded as some additional harm to add to the harm by reason of inappropriateness.

The effect of the proposal on the character and appearance of The Log Store and the Compton Conservation Area.

- The existing use of the building has been sensitively achieved with little significant change to the external fabric of the original log store. It retains much of its original charm as a small, traditional building within a rural setting. This in turn contributes to the wider character and appearance of the Compton Conservation Area (CA).
- The proposed extension has been deliberately designed so as not to visually compete with the existing building. The size, scale, form and nature of the original building would remain to be clearly read and appreciated. Its significance as a non-designated heritage asset would be unaffected by the works.
- For the same reasons, I am satisfied that there would be no harm to the wider character or appearance of the CA, which would be preserved. The building overall would remain to be modest in its setting and sympathetic to its surroundings. The CA's significance as a heritage asset would therefore be unaffected.
- I find no conflict with the design codes given by LP Policy G5 and the parts of Policy H9 that seek to ensure that extensions to dwellings in the countryside respect the scale and character of the dwelling and do not unacceptably impact upon the surroundings. Neither would there be conflict with LP Policies HE7 or HE10 which seek to ensure that new development

preserves or enhances the character or appearance of a conservation area, or its setting.

- The site also lies within an Area of Outstanding Natural Beauty and an Area of Great Landscape Value. The Council is satisfied that the proposal would not be unduly prominent or detract from the characteristic and distinctive natural landscape of the wider area.
- During my visit I was struck by my diminutive size of the existing building and the cramped living conditions within it. Despite the design quality and appearance of the building, and the appellant's obvious pride in their well maintained home, it is difficult to overstate how poor the residential amenities offered by the building actually are.
- The only significant outlook or means of daylight and ventilation to the ground floor space, which contains a very small kitchen area and lounge, is gained from a set of patio doors and half-height glazed lights to each side on an end gable.
- The first floor contains a bedroom and a small shower/WC room. Headroom is severely restricted by the roof slope and the space is naturally lit and ventilated by only one single rooflight. There is no outlook. Regardless of the appellant's personal circumstances, in my opinion the living accommodation is barely capable of providing a reasonable and functioning living space. In this regard, I take note that the existing floorspace, when measured internally, falls well below the standards that are given within the Governments 'Technical Standards – Nationally Described Space Standards, March 2015'.
- The proposed extension would go some way to bringing the living accommodation close to being reasonable in terms of floorspace and modern living standards. Moreover, it has been demonstrated that this can be achieved without harm to the character or appearance of the existing building and the CA. The benefits of this are significant, not only to the needs of any occupiers, but also in terms of improvements to the existing local housing stock more generally.

Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations

- I have found the proposal to be inappropriate development in the Green Belt for the reasons identified. In addition, I have also found that it would prejudice the openness of the Green Belt to a degree. Notwithstanding my findings as they relate to the effect of the proposal on the character and appearance of The Log Store and the Compton Conservation Area, substantial weight is given to the harm of the Green Belt.
- On the other hand, there would be tangible benefits to the living conditions at the existing dwelling. The proposal would tip the internal space from being constrained, poorly lit and ventilated, and with limited outlook, to one with vastly improved conditions, albeit very small. This attracts a considerable amount of favour of the proposal and when weighed in the balance I find that the harm to the Green Belt is clearly outweighed in this instance by other considerations. The very special circumstances needed to justify the development exist and therefore the appeal succeeds.

<p>3.</p>	<p>Mr Oliver Thorne 2 Sunnyside, Shere Road, West Horsley, Leatherhead, KT24 6EL</p> <p>18/P/00753 – The development proposed is the erection of single storey side extension, second storey rear extension, internal alterations of a single garage following demolition of existing garage.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are whether the proposal constitutes an inappropriate form of development within the Green Belt for the purposes of the NPPF and development plan policy. • The effect of the development on the openness of the Green Belt. • The appeal property is a two storey semi-detached property with its main door entrance to the side. It is set on a road which has a row of various properties on each side but it does not lie within a defined settlement area. • The principal parties disagree over figures to use to ascertain the exact percentage cumulative increase which this proposal would represent and in any event there is a question over whether one should be considering footprint or floorspace which in turn would not be the same. Even the starting point of the original property is at variance. • On the face of it, the proposal when taken cumulatively with work in the past would result in an increase to very appreciably over 50% of the original property. • Supporting text to the LP Policy H9 sets out that the principal consideration will be the potential impact of the extension itself on the openness of the Green Belt and the visual amenities of the Green Belt in terms of its size, scale, design, materials and character. To my mind this is highly relevant. The paragraph then goes on to explain that small extensions, even where there have been a number of previous extensions to the original dwelling, will not necessarily be refused. Again, very relevant in my opinion. • The good design and general positioning of works, the fact that there are disparate low key moderate elements, the planned use of suitable materials, the demolition involved being towards the more open rear of the site, and the nature of the existing property and its adjoining extended semi (which the appeal scheme would almost mirror), all lead me to conclude that openness and visual amenity within the Green Belt would not be unduly harmed. I am satisfied that the proposal would be benign and that this is one example of additional extension work in the Green Belt which would be acceptable. • On the first issue, I therefore conclude that this proposal would not represent inappropriate development for the purposes of the Framework and would not run contrary to LP Saved Policies H9 and RE2; it would not result in disproportionate additions over and above the size of the original building. • I recognise that even this relatively modest increase in built form would have some effect on openness. However, bearing in mind the limited degree of this change and the fact that it would not be inappropriate development this would not be a telling impact, and I am satisfied that significant harm to the Green Belt would not be caused by the scheme in this regard. • On the second issue I conclude that this development would not materially affect the openness attribute of the Green Belt and would therefore not be 	<p>*ALLOWED</p>
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	<p>harmful in that regard or conflict with the basis set by relevant local and national planning policies.</p> <ul style="list-style-type: none"> • My overall conclusion is that the proposal would accord with the pertinent policy elements of the Framework and the development plan. The appeal should therefore be allowed. 	
<p>4.</p>	<p>Stone Grove Stoke Park Limited Land at Guildford College Stoke Park Campus, Stoke Road, Guildford, GU1 1EZ</p> <p>17/P/00509 – The development proposed was demolition of existing buildings and redevelopment to provide purpose built student accommodation with 553 bedspaces, 149 sq m D1 floorspace, 969 sq m of student amenity space including a gym and student hub and associated works.</p> <p>Planning Committee: 1 November 2017 Planning Officer's Recommendation: To Approve Decision: To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • By the time of the Hearing, agreement had been reached, in the form of a planning obligation, on two of the main issues (cycle routes and pedestrian facilities and the Thames Basin Heaths Special Protection Area) which formed the basis of the reasons for refusal. Consequently, only two main issues remain for consideration. They are the effect of the proposal on the character and appearance of the area, and the supply of and demand for car parking. • The development proposed would comprise four substantial buildings around a courtyard. Each building would take the form of a rectangular cuboid with little or no articulation other than by surface detail of fenestration and brickwork detailing. The stripped back simplicity of form and decoration results from the recommendations of the Design: South-East Design Review Panel which considered previous iterations of the proposal on two occasions. • Paragraph 4.20 of the Council's Planning Contributions SPD advises that the Design Review Panel's recommendations will help secure a higher quality of design in new development and so their advice carries great authority in considering the character and appearance of this proposal. I note that it is not proposed to carry through the requirements of Local Plan policy G5(6) into the emerging Local Plan which has just concluded its examination. • The north-west frontage facing the rise up towards the site along Lido Road would present elevations of three of the buildings respectively six and five storeys high. These heights together with their elevated position, would give the development a commanding presence over the approach otherwise lined with the relatively long low buildings of the Guildford Lido and the original School of Arts building of Guildford College. Nevertheless, it would be too distant from St John's Church to have any effect on the setting of that listed building or those associated with the church. • There would not be a displeasing proportional relationship between the existing and proposed buildings in this space in that although the central pavilion of the proposed development would be about twice the height of the existing School of Art building, at about 37m it would be approximately half the latter's 75m length. The end facades of the two flanking pavilions of 	<p>*ALLOWED</p>

the new development would each be about half the length of its central pavilion and so although taller and more eminent, the lesser extent of the blocks proposed on this elevation would avoid the effect of the development giving an oppressive feeling.

- In relation to Stoke Park on the opposite side of the proposed development, the development would be sited in a hollow at one corner of the park, partially tucked away behind maturing trees which mask the large industrial shed-like building occupied by the Wey Valleys Bowls Club. Because it would be cut into the topography, its height on this elevation would be reduced to four or five stories.
- Also, because of its position, it would be visible only from a portion of the park, approximately that comprising its western third. At close its height would breach the skyline but from further into the park, perspective would reduce its apparent height and it would merge into the tree belt below the skyline.
- In this context, its institutional scale would fully compliment that described in the Guildford Landscape Character Assessment January 2007 as townscape character area 10D Guildford College/Stoke Park. The key characteristics of this character area are said to include large scale institutional buildings, often educational, set in open grounds.
- In accordance with the recommendations of the Guildford Landscape Character Assessment, the proposal would remove inappropriate and low quality buildings and make better use of an existing developed site. It would also improve pedestrian links into the park.
- The study tells us that at Stoke Park the remains of the historic designed landscape forms the setting for modern development. This proposal would be consistent with that observation.
- The study also notes that institutions are often set in elevated locations and prominent in views from the surrounding area. This proposal would conform with that observation when seen from the A25 Parkway, as the appellant's Accurate Visual Representations demonstrate. It would not however impinge on any view of the Cathedral from Stoke Park.
- Part of the character of Stoke Park, is that a number of large scale buildings are visible around its edge. The Wey Valley Bowls Club has already been noted but there are also the former buildings of Burchatt's Farm visible at the eastern end of the park, residential buildings in London Road, the sports buildings of Guildford High School and beyond them the school's academic buildings prominent on the skyline. The proposal would add to these and so reinforce its existing character.
- I conclude that notwithstanding the conflict with Local Plan policy G5(6), the proposal would have an acceptable effect on the character and appearance of the area. It would comply with other parts of Local Plan policy G5 which require respect for topography, views, relationships, surrounding scale, height, proportions and materials.
- The proposal would provide 17 car parking spaces, of which four would be provided temporarily at times when demand from students for dropping off and collecting their possessions is at its peak. Concerns were expressed that this would be nowhere near sufficient to provide for the daily comings and goings of 527 residents, their visitors and deliveries.
- It was established that the site of the proposal is outside the boundaries of the Controlled Parking Zones which control parking in surrounding streets and, as such, residents of the proposed development would not be eligible to apply for permits to park in those streets. The proposal makes provision for introducing controls on currently uncontrolled public car parks nearby.

	<p>The University of Surrey, to which most residents can be expected to belong, has policies, which discourage the use of cars to reach its campus.</p> <ul style="list-style-type: none"> • Moreover, the proposed tenancy agreement and management plan for the development would preclude the ownership of cars by residents other than those requiring use of a car to accommodate a physical disability and would include a travel plan to provide a bespoke service of car-free travel advice to the scheme's residents. Their adoption could be required as a condition of the development. • The number of parking spaces for disabled people would be proportionate to the number of disabled people requiring use of a car expected to reside at the development. • I conclude that these measures in combination would limit the demand for car parking to that supplied by the proposals with the result that there would be no adverse effects on the demand for and supply of car parking in the wider neighbourhood. The proposal would therefore comply with Local Plan policy G1 which requires compliance with parking standards. In this case those standards require provision of fewer than 1 space per student, fewer than 1 space for every 3 daily visits and fewer than 1 space per member of staff. • Through the application of conditions and the planning obligation, the proposal would comply with policies M6 and NE1 of the Guildford Borough Local Plan adopted in January 2003 and policy NRM6 of the otherwise cancelled South East Plan. Although also complying with policy G1 and other parts of policy G5 of the Local Plan, this proposal would be contrary to policy G5(6). • Material considerations in this case include: <ul style="list-style-type: none"> • That the emerging Local Plan which has just concluded its examination does not propose to continue policy G5(6); • That the proposal is consistent with advice given by the Design: South-East Design Review Panel; • That the proposal is consistent with the Guildford Landscape Character Assessment; • The benefits of providing student housing. 	
<p>5.</p>	<p>Ms S Jordache Leewood, Seale Lane, Seale, Farnham, GU10 1LE</p> <p>18/P/00597 – The development proposed is described as extensions and alterations.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The main issues are whether the proposal amounts to inappropriate development in the Green Belt for the purposes of the Framework and development plan policy; • If the proposal amounts to inappropriate development in the Green Belt, the effect of the proposal on the openness of the Green Belt; • The effect of the proposal on the character and appearance of the host dwelling and the locality. • If the proposal amounts to inappropriate development, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, including any public benefits, so as to amount to the very special circumstances necessary to justify the development. 	<p>DISMISSED</p>

Whether the proposal amounts to inappropriate development in the Green Belt for the purposes of the Framework and development plan policy

- Although it is noted that no planning history relating to the appeal property between 1953 and 1963 has been provided, it is not disputed that during this period garage, study and bedroom additions were made to the dwelling. Green Belt policy requires all additions to the original dwelling to be taken into account, irrespective of whether or not they benefit from planning permission.
- The Council has state that together the existing and proposed extensions would increase the floor area of the original dwelling by some 199%. This would include the conversion of the existing loft area. The proposed loft conversion includes a storage area, which would likely replace the existing loft space.
- The existing extensions are modest in form and appearance and are subservient to the host dwelling. The proposed infill extension would be contained between the existing rear extensions. It would have a flat roof and would retain the proportions and appearance of the host dwelling.
- Similarly the front porch extension would be contained between an existing bedroom and former garage and would be modest in form and scale. Together with the existing extensions these proposed extensions would not amount to disproportionate additions to the size of the original dwelling.
- Accordingly, these elements of the proposed scheme would comply with policies H9 and RE2 of the Local Plan and the Framework.
- The existing main roof of the dwelling is modest in form, scale, mass and appearance. The proposed roof extension would involve enlarging the roof over the garage and introducing half hips on either side. These half hips would materially increase the bulk of the existing roof. To the rear of the proposed roof extension would be a large flat roofed dormer window.
- As a result, the volume, scale and mass of the existing roof would be significantly increased. The proposed roof addition, together with the existing extensions and the proposed single storey extensions would therefore result in disproportionate additions over and above the size of the original dwelling.
- I conclude on this main issue that the proposed extensions, together with the existing extensions would amount to disproportionate additions over and above the size of the original dwelling. This would be contrary to policies RE2 and H9 of the Local Plan and the Framework. Substantial weight must be given to the harm resulting from the inappropriateness of the proposed development.

The effect of the proposal on the openness of the Green Belt.

- The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl and to keep land permanently open. The proposed roof addition would materially increase the width of the dwelling above ground floor level and would reduce the open gap above ground floor level between the host dwelling and the adjacent dwellings on either side. As a consequence, it would materially reduce the openness of the site and the Green Belt.
- Conversely, due to their modest height, form and contained siting the proposed ground floor extensions would not detract from the openness of the Green Belt.
- On the main issue, I conclude that the proposed scheme would detract from the openness of the Green Belt contrary to the Framework.

The effect of the proposal on the character and appearance of the host

	<p>dwelling</p> <ul style="list-style-type: none"> • Due to their containment and modest form, the proposed ground floor extensions would have a negligible impact on the overall character and appearance of the host dwelling. The form, scale and general character and appearance of the host dwelling would be retained. • The proposed roof extension and associated half hips would change the appearance of the roof of the dwelling. However, from the street scene the main roof of the dwelling would remain uncluttered in its design and would respect the simple lines of the host dwelling. • The rear dormer would be bulky and would be slightly unbalanced due to its siting to one side of the proposed ground floor extension. Other than this it would be contained between the two existing extensions and would have a negligible impact on the rear garden environment. This is because there are a variety of two dwellings and dormer windows along this part of Seale Lane. • I conclude on the main issue that the proposal would not have a materially adverse impact on the character and appearance of the host dwelling and the local area. • I conclude on the main issue that the other considerations put forward in favour of the proposal both individually and collectively fail to clearly outweigh the general presumption against inappropriate development in the Green Belt. • Whilst I have found in favour of the appellant to the third main issue, the conclusions on the other main issues amount to compelling reasons for dismissing this appeal, which could not be satisfactorily addressed through the imposition of conditions. 	
<p>6.</p>	<p>Mr Ben Scott New Pond Cottage, New Pond Road, Compton, GU3 1HY</p> <p>18/P/00391 – The development proposed is described as removal of existing conservatory and erection of single storey ground floor extensions to side and rear first floor extension to rear.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues include whether the proposal amounts to inappropriate development in the Green Belt for the purposes of the Framework and development plan policy. • If the proposal amounts to inappropriate development in the Green Belt, the effect of the proposal on the openness of the Green Belt. • If the proposal amounts to inappropriate development, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, including any public benefits, so as to amount to the very special circumstances necessary to justify the development. <p>Whether the proposal amounts to inappropriate development in the Green Belt for the purposes of the Framework and development plan policy.</p> <ul style="list-style-type: none"> • The size calculations provided by the Council and the Appellant are inconsistent and so have not been relied on in the following assessment. From the Appeal site visit and all of the details submitted it is clear that the dwelling has been extended on both sides and to the rear and that a 	<p>DISMISSED</p>

	<p>number of outbuildings have been constructed. Overall, the proposed increase in floor area and volume over and above the original dwelling is not insignificant.</p> <ul style="list-style-type: none"> • The proposed extensions would materially add to the floor area and mass of the existing dwelling. Together with the existing extensions they would significantly increase the size and mass of the original dwelling. Both on their own and together with the existing outbuildings they would amount to disproportionate additions over and above the size of the original dwelling. • For these reasons I find that the proposed extensions, together with the existing retained extensions would amount to disproportionate additions over and above the size of the original dwelling. This would be contrary to policies RE2 and H9 of the Local Plan and the Framework. <p>The effect of the proposal on the openness and visual amenity of the Green Belt</p> <ul style="list-style-type: none"> • The existing dwelling has already been materially increased in width, depth and mass. The proposed rear extensions would increase the depth of the dwelling still further and encroach further into the open garden area to the rear. As a consequence, they would detract from the open character of the site and its immediate setting. Conversely, the proposed side extension would be visually contained and would not impact on the openness of the Green Belt. • I therefore conclude on the main issue that the proposed rear extensions would detract from the openness of the Green Belt contrary to the Framework. Significant weight needs to be given to this haem. • I conclude on the main issue that the other considerations put forward in favour of the proposal both individually and collectively fail to clearly outweigh the general presumption against inappropriate development in the Green Belt; the substantial weight to be attached to the harm caused by the inappropriateness of the development; the harm to the openness of the Green Belt and the conflict with policies RE2 and H9 of the Local Plan and the Fraemwork. Accordingly, the very special circumstances necessary to justify the proposal do not exist. • The conclusion on the main issues amount to compelling reasons for dismissing this Appeal, which could not be satisfactorily addressed through the imposition of concerns. 	
<p>7.</p>	<p>Mr Maurice Johnson Woodleigh, Effingham Common Road, Effingham, Leatherhead, KT24 5JG</p> <p>18/P/00759 – The development proposed is a single storey two-bay car port with secure cycle storage.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issue is the effect of the proposal on the character and appearance of the locality. <p>Character and appearance</p> <ul style="list-style-type: none"> • The appeal property is a sizeable, detached house set in a large, well landscaped garden. The house lies back from the road behind a verge and has a tall hedge demarcating its front boundary. • The properties do not lie within a settlement and the scene is a spacious semi-rural one with an established character and a very pleasing landscape-dominant appearance with buildings, despite their scale, taking 	<p>DISMISSED</p>

	<p>second place visually.</p> <ul style="list-style-type: none"> • The proposal would be hipped pitch roof and have dimensions of some 4.1 metres in height, 8.8m in length and depth of about 5.9m. • Whilst most of the building would be screened by the hedge the roof area would be quite apparent in the streetscene and to my mind this not insignificant built form would catch the eye by reason of position, height and length and would detract from the open green scene. It would look out of place and character. • Furthermore, the hedge can not always be relied on to remain and whilst the area is gravel at present, the footprint of the building itself would prevent a considerable part of the important forward-most area of the garden from ever being street-contributing soft landscape. • To my mind the proposal is not sufficiently clustered to the main building and this spread of sizeable development outwards in the open scene would be alien and unacceptable. • Saved policies G1, G5 and H9 of the Guildford Borough Local Plan, taken together and amongst other matters, are based upon achieving well designed development of a suitable scale, layout and form which would protect local distinctiveness; harmonise with context; and have regard to a locality's character and streetscene context. I conclude that this proposal would conflict with these policies. • I conclude that the appeal proposal would have an unacceptable adverse effect on the character and appearance of the locality. 	
8.	<p>COSTS APPLICATION by Guildford Borough Council against Mr Cornelius Barrett (Surrey Building Services) Mr Cornelius Barrett Land to the north of Woodruffe, Wyke Lane, Ash, Surrey,</p> <p>17/P/01916 – The development proposed was for the erection of six x two bed dwellings together with associated parking, amenity space and landscaping.</p> <p>(Appeal withdrawn against Guildford Borough Council's refusal of the above application)</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The decisive issue is considered to be whether or not the appellant acted unreasonably by withdrawing the appeal when he did, with the result that the Council incurred wasted expense in the appeal proceedings. • Particular regard has been paid to the costs guidance at paragraph 054 of the relevant part of the PPG, which warns that if an appeal is withdrawn without any material change in the planning authority's case, or any other material change in circumstances relevant to the planning issues arising on the appeal, an award of costs may be made against an appellant. The sequence of events leading to the withdrawal of the appeal has been carefully considered. • The appeal was received on 31 January 2018. The Council's statement was received by the Inspectorate on 12 July 2018. The appeal was withdrawn on 20 July 2018. • In the appellant's agent's email of withdrawal of 20 July 2018, it states that he has tried to work with the Council to determine the restrictions of the Thames Basin Heath Special Protection Area 0-400 metre buffer zone and 	<p>PARTIAL AWARD OF COSTS GRANTED</p>

to find relevant documentation, but to no avail. The agent states that had this been made available then an appeal may or may not have been submitted and that once an answer was eventually afforded the appeal was withdrawn. However, it is not clear precisely what that answer was. It has not been explained what information the appellant received from the Council before 20 July 2018 that convinced him to withdraw the appeal.

- The appellant's case on appeal was that he did not agree with the Council's assertion that the appeal site lay within the 0-400m buffer zone. It is noted the Council referred the appellant to the online interactive planning map and the map on page 33 of the Thames Heath Special Protection Area Avoidance Strategy to provide clarity on the buffer zones. It is not clear whether they did this before or after the appeal was submitted.
- It is clear from the agent's correspondence of 28 July 2018 that despite these recommended maps, he remained convinced that the appeal site lay outside of the 0-400m buffer zone. Therefore, it is reasonable to conclude that it was not the documentation that convinced the appellant to withdraw the appeal. As far as the appellant's case was concerned, at the time of withdrawal there was no change in the situation from when the appeal was submitted.
- The overall conclusion reached is that there is no evidence before the Secretary of State of a material change in the Council's case, or any other material change in the Council's case, or any other material change in circumstances relevant to the planning issues arising on the appeal, to justify the appellant's decision to withdraw it when he did. This amounts to unreasonable behaviour within the scope of paragraph 054 of the costs guidance. An award of costs will therefore be made.
- As to the extent of the award, the view is taken that the Inspectorate's procedural letter of 7 June 2018 have sufficient warning that withdrawal without good reason could result in an award of costs against the appellant. In the light of this a partial award from 21 June 2018 (inclusive) is considered justified. This allows a nominal period of 2 weeks for the appellant to have fully considered his position in the appeal in terms of the warning on costs.
- For these reasons, it is concluded that a partial award of costs against the appellant, on grounds of 'unreasonable' behaviour resulting in wasted or unnecessary expense, is justified in the particular circumstances.