

**19/P/01429 - Whistlers Farm, Guildford Road, Effingham,
Leatherhead**



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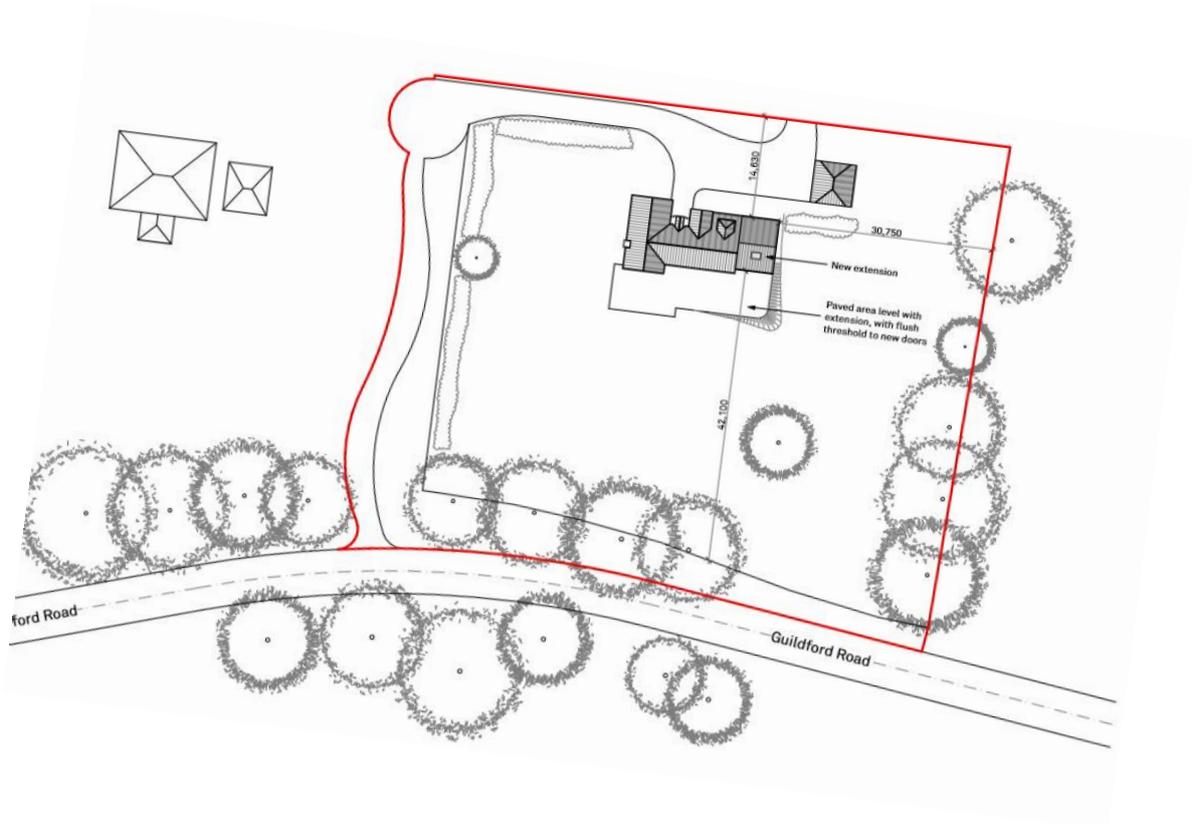


Not to Scale



GUILDFORD
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19/P/01429 – Whistlers Farm, Guildford Road, Effingham, KT24 5QD



Not to scale



App No: 19/P/01429
Appn Type: Full Application
Case Officer: Elliot Finch

8 Wk Deadline: 16/10/2019

Parish: Effingham
Agent : Re-Format LLP
Buckmore Studios
Beckham Lane
Petersfield
GU32 3BU

Ward: Effingham
Applicant: Mr Rudham
Whistlers Farm
Guildford Road
Effingham
KT24 5QD

Location: Whistlers Farm, Guildford Road, Effingham, Leatherhead, KT24 5QD

Proposal: Erection of a part single/two storey side extension with one roof light, to provide wheelchair accessible accommodation on the ground floor.

Executive Summary

Reason for referral

The application has been referred to Planning Committee by Councillor Liz Hogger for the following reasons:

- The Planning Committee should have the opportunity to consider whether or not there are very special circumstances outweighing the harm to the Green Belt.

Key information

- Large detached two storey dwelling.
- Semi-rural area of the Green Belt, west of the village of Effingham.
- Spacious plot with dwelling set back from the main road.
- Detached two bay garage located to the rear of the site.
- Existing property is a replacement dwelling approved in 2004.
- Smaller extension now proposed compared with refused application 19/P/00761.

Summary of considerations and constraints

The proposed extension would be a disproportionate addition to the original building which thereby represents inappropriate development that is, by definition, harmful to the Green Belt.

No very special circumstances are considered to exist that would clearly outweigh the harm to the Green Belt by reason of inappropriateness.

RECOMMENDATION:

Refuse - for the following reason(s) :-

1. The proposal, by virtue of its floor area uplift, increase of the footprint of the building and additional bulk, mass and volume at ground floor and first floor levels, combined with the increased size of the existing replacement dwelling, would result in a disproportionate addition to the original building which thereby represents inappropriate development that is, by definition, harmful to the Green Belt. No very special circumstances are considered to exist that would clearly outweigh the harm to the Green Belt by reason of inappropriateness, or any other harm. The proposal is therefore contrary to Policy P2 of the Local Plan, and to Chapter 13 of the National Planning Policy Framework (NPPF) 2019.

Informatives:

1. This decision relates expressly to drawing(s) 0101 REV P01, 0200 REV P02 and 0300 REV P02 received on 14 August 2019; 0100 REV P05 received on 20 August 2019; 0202 REV P03 and 0302 REV P03 received on 21 August 2019.
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
 - Offering a pre application advice service
 - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

Pre-application advice was not sought prior to submission and there are significant objections to the application that minor alterations would not overcome, it was not considered appropriate to seek amendments through the course of this application.

Officer's Report

Site description.

Whistlers Farm is located within a semi-rural area of the Green Belt, west of the village of Effingham. The property consists of a large detached dwelling located within a spacious plot set well back from the main road. There is a detached two bay garage located to the rear of the site.

Proposal.

Erection of a part single/two storey side extension with one roof light, to provide wheelchair accessible accommodation on the ground floor.

[Officer Note: the application proposes a similar extension to the one refused under application 19/P/00761. The size of the proposed extension has been reduced in terms of its width, depth and height.]

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
19/P/00761	A two storey side extension with a north facing juliet balcony at first floor level.	Refuse 27/06/2019	N/A
04/P/00933	Detached two storey 5 bedroom dwelling with detached double garage following demolition of existing house and outbuildings.	Approve 21/06/2004	N/A
03/P/01489	Detached two storey 6 bedroom dwelling with detached triple garage and detached stable block following demolition of existing dwelling and adjacent outbuildings with new access onto Guildford Road (variation to 02/P/1785).	Refuse 05/09/2003	Appeal Dismissed 04/03/2004
02/P/01785	Detached two storey 5 bedroom dwelling with detached double garage following demolition of existing dwelling and adjacent outbuildings. Formation of new access onto Guildford Road following closure of existing.	Approve 14/10/2002	N/A
01/P/02494	Detached two storey 5 bedroom dwelling with detached double garage following demolition of existing dwelling & adjacent outbuildings. Formation of new access on to Guildford Road following closure of existing.	Refuse 23/04/2002	N/A

01/P/01296 Detached two storey 5 bedroom Application N/A
dwelling with detached double garage Withdrawn
following demolition of existing 30/04/2002
dwelling & adjacent outbuildings.
Formation of new access on to
Guildford Road following closure of
existing.

Consultations.

Effingham Parish Council: no response.

Third party comments:

None received.

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 12. Achieving well-designed places
Chapter 13. Protecting Green Belt land

Guildford Local Plan - Strategy and sites:

Policy P2: Green Belt

Policy D1: Place shaping

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

G1(3) Protection of amenities enjoyed by occupants of buildings

G5 Design Code

Effingham Neighbourhood Plan 2018

G2: Landscape, heritage, character and design

Supplementary planning documents:

Residential Extensions and Alterations SPD, 2018

Planning considerations.

The main planning considerations in this case are:

- the principle of development and impact on the Green Belt
- the impact on scale and character
- the impact on neighbouring amenity
- very special circumstances?

Principle of development and impact on the Green Belt

The site is located within the Green Belt. The NPPF identifies that new buildings will be deemed inappropriate unless for specific purposes as set out in paragraph 145. Extensions to buildings are referred to, provided they would not result in a disproportionate enlargement to the original building. The test of whether there would be a disproportionate enlargement is not an openness test nor does it relate to the visual impact of the development. Neither is it a relative assessment to the size of other buildings in the surrounding area. Instead it requires a quantitative assessment, factors can include the floorspace uplift and three dimensional factors such as footprint, increases in height, width, depth and building shape. Policy P2 of the new Local Plan reaffirms this test.

In this instance the building, as existing, is a replacement of that which originally existed on site. The Council's view is that the NPPF definition of original building for the purposes of the extensions to buildings in the Green Belt should relate to whichever building originally existed, either at 1948, or the building first constructed after 1948. Any replacement building does not become the new original building.

The NPPF glossary defines original building as 'a' building as it existed in 1948, rather than 'the' building as existed and in the Council's view this supports the case that the drafter envisaged the possible replacement of the first building. If this was not the case the NPPF would not have needed to use the term original and would have simply referred to 'the building'. It is also noted that case law in respect of the meaning of 'original' under PPG2 supported the interpretation that this referred to the first building and not any replacement. The Council considers that this judgement continues to hold weight given the very similar wording used in PPG2 and the NPPF.

This view is supported in Policy P2 of the adopted Local Plan, which states:

'The "original building" shall mean either:

- i. the building as it existed on 1 July 1948; or
- ii. if no building existed on 1 July 1948, then the first building as it was originally built after this date'

The inspector's report published after the examination of the local plan commented specifically on this point and clarified that the incorporation of this definition into the actual policy confirmed the Council's position.

Therefore, the starting point for this application must be that the original building is NOT the building which currently sits on the site, but rather that which the existing building replaced. Undertaking any other definition of 'original' would be contrary to Policy P2.

No floor plans or elevation drawings of the original building have been submitted with the application. This information is required in order to determine whether the proposal would result in a disproportionate enlargement of the original building. The relevant details have been taken from the 'existing plans and elevations' drawing submitted with planning application 02/P/01785, which shows what the original building looked like prior to its replacement. This document is included as an appendage to the officer report for reference.

In external floorspace terms the size of the original, existing and proposed building are set out below:

Original building – 183 sq m (note: 125 sq m at ground floor and approximately 58 sq m within the roof space)

Existing building – 274 sq m

Proposed extension - 57.8 sq m

Proposed (resulting) building – 331.8 sq m

Approx. uplift of existing from original: 50%

Approx. uplift of proposed from original: 81%

This figure represents a very significant uplift indicative of a disproportionate addition.

Three-dimensional factors are also taken into account. The original chalet bungalow had a relatively low-volume hipped roof with a maximum height of 7.2m and eaves height of 3.1m, while most of the existing replacement building stands at full two storey height with a maximum height of 8m and eaves height of 5.2m. The proposed extension would have a maximum height of approx. 7.1m and eaves height of approx. 3m. The resultant building would also have a larger footprint than that of the original building, increasing by approximately 42%. Owing to these factors, it is clear that the proposed extension in combination with the existing building would add a substantial amount of additional mass, bulk and volume to the original building over ground floor, first floor and roof levels. The resultant building would therefore be a clearly disproportionate addition to the original dwelling in three-dimensional terms.

Overall taking into account all the relevant information, the proposal would result in a disproportionate addition to the original building. Furthermore, owing to its substantial size and scale, the existing building already represents a disproportionate addition to the original building.

The proposal is therefore inappropriate development which is by definition harmful to the Green belt. The identified harm represents substantial weight against the proposal. The proposal therefore fails to comply with Policy P2 of the Local Plan and the NPPF 2019.

Impact on scale and character of the existing dwelling and surrounding area

The proposed 1.5 storey side extension would have a low eaves height and its ridge would be set down from that of the existing dwelling. It would not project beyond the front or rear elevations of the existing building. Its width would be less than half the width of the existing building. As such, the extension would appear subservient to the existing building. The proposed exterior facing and roofing materials, fenestration arrangement and overall design qualities of the extension would respond to the architecture of the existing building. Therefore proposal would have no materially harmful effect on the scale and character of the existing building.

The extension would be sited well away from the main road, as such it would have no materially harmful impact on the character and appearance of the streetscene or wider surrounding area.

The proposal therefore complies with Policy D1 of the Local Plan, policy G5 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24/09/2007), policy G2 of the Effingham Neighbourhood Plan 2018, and the NPPF 2019. This consideration is afforded neutral weight.

Impact on neighbour amenity

The closest neighbouring property to the application site is Chatley House, located further to the west. There is a separation distance of 60m between the two dwellings, which would not be increased by the proposed development. The size and siting of the extension would not cause a detrimental loss of light over the neighbouring property and would not appear an overbearing feature. There are no overlooking concerns resulting from the development.

The proposal therefore complies with policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24/09/2007) and the NPPF 2019. This consideration is afforded neutral weight.

Very special circumstances?

It needs to be considered whether there are any very special circumstances which would clearly outweigh the identified harm to the Green Belt. Supporting application information identifies the need for wheelchair accessible ground floor sleeping and bathroom accommodation for the disabled applicant. This consideration can only be afforded very limited weight because there may be alternative solutions that meet this objective without conflicting with Green Belt policy. For example, it is likely that the existing building could be converted to provide additional wheelchair accessible accommodation. Suitable accommodation could also be found elsewhere, off-site. The listed examples are not exhaustive but clearly demonstrate that there is no essential need for the proposed development.

Therefore, the considerations put forward by the applicant are afforded very limited weight in favour of the proposal and do not amount to very special circumstances in this instance.

Conclusion.

The proposal would be inappropriate development in the Green Belt because the extension, combined with the size of the existing replacement dwelling, would result in a disproportionate addition to the original building; inappropriate development is, by definition, harmful to the Green Belt. This consideration is afforded substantial weight against the proposal. Other planning considerations are afforded neutral weight. The considerations put forward by the applicant to justify the proposal are afforded very limited weight in favour of the proposal. As such, no very special circumstances exist in this case and the identified harm to the Green Belt would clearly outweigh all favourable considerations. The application should be refused.