

<b>LOCATION:</b>	Clear Spring, Brick Hill, Chobham, Woking, Surrey, GU24 8TH,
<b>PROPOSAL:</b>	Single storey rear extension
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Mr Rupert Gardner
<b>OFFICER:</b>	Thomas Frankland-Wells

This application would normally be determined under the Council's Scheme of Delegation. However, it is being reported to the Planning Applications Committee at the request of Cllr Wheeler because of concern over the harm to the Green Belt.

### **RECOMMENDATION: GRANT subject to conditions**

#### **1.0 SUMMARY**

- 1.1 The site lies within the Green Belt and the proposal is for the erection of a single storey rear extension, following the demolition of an existing rear extension. The proposed extension, together with extensions already carried out to the property, would be disproportionate additions over and above the size of the original building. The proposal would therefore be inappropriate development that would be harmful, by definition, to the Green Belt. In visual terms the harm to Green Belt openness would be limited. Aside from Green Belt considerations the design of the extension would be acceptable and no other harm has been identified, including no harm upon the neighbouring residential amenities.
- 1.2 Very special circumstances are required to outweigh the Green Belt harm. Permitted development rights remain intact for extensions to the dwelling, including porches and roof extensions, as well as outbuildings. In the officer's opinion, the scale of development that could be carried out under these rights could be more harmful to the Green Belt than the current proposal. This fallback position weighs in favour of the proposal and by removing future permitted development rights by planning condition this would be of further benefit. It is considered that this would outweigh the identified harm to amount to very special circumstances. Subject to conditions the application is therefore recommended for approval.

#### **2.0 SITE DESCRIPTION**

- 2.1 The site comprises a two storey semi-detached dwelling fronting Brick Hill. Dating from the late 19<sup>th</sup> century, the property was originally a detached cottage but was subsequently divided into two plots. It has since been extended, most notably by a two storey addition to the side.
- 2.2 The remainder of the site is predominantly garden space. This is enclosed to the front by a hedge, with further screening provided by a row of mature trees. The rear of the site is not as well screened, being enclosed by timber fencing, with a lack of any tall vegetation.
- 2.3 Vehicular access is via a track that leads off Brick Hill and around the property's attached neighbour to an area of hardstanding and a detached garage block at the rear of the site. The land on the site is relatively flat.

- 2.4 The surrounding area is distinctly rural, comprising around 20 dwellings surrounded by the heathland of Chobham Common to the north and east, and farmland to the south and west. Coworth Flexlands school lies a short distance to the west of the site.
- 2.5 The site is located within the Metropolitan Green Belt and outside of any settlement boundary. It is also located within the Thames Basin Heaths SPA 400m Buffer Zone.

### **3.0 RELEVANT HISTORY**

- 3.1 8775 Two storey extension – Granted 19/06/1973
- 3.2 75/601 Erect garage and demolish sheds – Granted 14/08/1975

### **4.0 THE PROPOSAL**

- 4.1 The proposal is for the erection of a single storey rear extension, following the demolition of the existing single storey rear extension. The proposed extension would extend across the entirety of the rear elevation with a width of 8.5 m and a depth of 4.5m, topped by a mono-pitch roof with the eaves set at 2.2m, rising to a ridge at 3m. It would have a brick and tile finish, with uPVC windows to match the existing.

### **5.0 CONSULTATION RESPONSES**

- 5.1 Chobham Parish Council Objection on the grounds that the development would amount to disproportionate additions over and above the size of the original building and would therefore be inappropriate development within the Green Belt.

### **6.0 REPRESENTATION**

- 6.1 Notification letters were sent to five neighbouring Brick Hill properties on 23 August 2021. One objection was received. No letters of support were received. The objection raised the following material considerations:

- Harm to the Green Belt [*Officer comment: see section 7.3*]

### **7.0 PLANNING CONSIDERATION**

- 7.1 In considering this proposal, regard has been had to the National Planning Policy Framework 2021 (NPPF), Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and guidance within the Surrey Heath Residential Design Guide SPD 2017 (RDG).

- 7.2 The main issues in the assessment of the application are:

- The impact on the Green Belt;
- The impact on the character and appearance of the area; and,
- The impact on the amenities of neighbouring occupiers.

#### **7.3 The impact on the Green Belt**

- 7.3.1 The NPPF states that the construction of new buildings within the Green Belt is inappropriate development but lists exceptions to this. This includes the extension or alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building. The NPPF does not define what is a disproportionate addition but defines the original building as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

7.3.2 While the planning history for the site is limited, historic maps show that the building and surrounding land was divided into two plots sometime between 1915 and 1971. The larger of the existing single storey rear extensions also appears to have been constructed during this period. The existing two storey extension was constructed pursuant to planning permission reference 8775, which was granted in June 1973. This existing extension represents a substantial addition to the original building, having approximately doubled its footprint and volume. The following table summarises the floor areas and volumes:

	Floor area (m <sup>2</sup> )	Percentage increase
Original dwelling	78	-
Existing two storey extension	78	100%
Existing single storey extension	2	3%
Proposed demolition	-12	-16%
Proposed extension	38	49%
Total cumulative additions	106	136%

7.3.3 As shown above, the dwelling as proposed to be extended would have a floor area of 184m<sup>2</sup>, which would amount to a 136% increase over and above the original building's floor area of approximately 78m<sup>2</sup>. Similarly, the volume of the building would be approximately 560m<sup>3</sup>, which would be a 133% increase over and above the original building's volume of approximately 240m<sup>3</sup>.

7.3.4 Having regard to the above, it is considered that the proposed development combined with the existing extensions would result in a disproportionate addition over and above the size of the original building and would therefore be inappropriate development, which is by definition harmful to the Green Belt.

7.3.5 However, in the officer's opinion, additional harm to Green Belt openness would be limited. Openness includes both spatial and visual impacts. Given the relatively modest scale of the extension, its siting well back from public vantage points, and the extent to which it would be screened by other intervening structures (e.g. the garage buildings at the rear of the site) its visual impact would not be significant.

7.3.6 As the proposed development would be inappropriate and harmful development within the Green Belt, it should not be approved unless very special circumstances exist. It is first necessary to consider whether any other harm exists, in addition to Green Belt harm. The case for very special circumstances will then be considered in section 7.7 of this report.

#### **7.4 The impact on the character and appearance of the area**

7.4.1 Policy DM9 of the CSDMP requires development to be of a high quality design. It should respect and enhance the local, natural and historic character of the environment, be it in an urban or rural setting, paying particular regard to scale, materials, massing, bulk and density. High quality hard and soft landscaping should be provided, where appropriate, and trees and other vegetation worthy of retention should be protected. Development is also expected to incorporate and reflect design and character measures as set out in the Borough's supplementary planning documents.

7.4.2 Properties in the area surrounding the site predominantly date from the same period as the application property, with some examples of later infill development. Despite this, they vary quite widely in terms of their form and external finishes. Many have been extended, some considerably so, and these extensions are often visible in the street scene.

7.4.3 Despite extending across the entirety of the rear elevation to a depth of 4.5m, the overall scale of the extension would be limited by its modest height. Being single storey, it would appear subservient to the existing dwelling and it would also be sympathetic in its design, being topped by a pitched roof and having a brick and tile finish. Although it would be readily visible from the access track to the rear of the site, it would be set back significantly, which would limit the effect of its bulk.

7.4.4 Having regard to the above, it is considered that the proposed extension would have an acceptable impact on the character and appearance of the area. In this respect, the proposal is considered to be in accordance with the aims and objectives of policy DM9 of the CSDMP 2012 and Principles 10.1 and 10.4 of the RDG SPD 2017, all of which require development to be high quality and respectful of local character.

## **7.5 The impact on the amenities of neighbouring occupiers**

7.5.1 Policy DM9 of the CSDMP requires development to respect the amenities of occupiers of neighbouring property and uses.

7.5.2 The proposed extension would be 4.5m in depth and set hard up against the eastern boundary of the site but would only project beyond the rear building line of the attached neighbour, Foxhill End, by approximately 2.2m. It would otherwise be very well separated from the boundaries of the site and, in any event, would be modest in height.

7.5.3 It is therefore considered that the proposed extension would not appear overbearing when viewed from neighbouring properties or unduly deprive neighbouring occupiers of natural light. Given that the extension would be single storey only, it would not introduce any new patterns of overlooking or otherwise erode the privacy enjoyed by neighbouring occupiers.

7.5.4 Having regard to the above, it is considered that the proposed development would have an acceptable impact on the living conditions of neighbouring occupiers. In this respect, the proposal is considered to be in accordance with policy DM9 of the CSDMP 2012 and Principles 10.1 and 10.4 of the RDG SPD 2017, all of which seek to ensure that developments do not materially erode the amenities of neighbouring residents.

## **7.6 Other matters**

7.6.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted on 16 July 2014 and the CIL Charging Schedule came into effect on 1 December 2014. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area, however, as the proposal relates to a net increase in residential floor area less than 100 square metres the development is not CIL liable.

## **7.7 Very special circumstances**

7.7.1 Paragraph 148 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It goes on to state that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The preceding paragraphs of this report identify harm to the Green Belt (by reason of the proposal being a disproportionate addition, but concludes that harm to openness would be very limited) and no other harm to the character and appearance of the area or residential amenities.

7.7.2 Whilst the applicant has not presented a case for very special circumstances it is still necessary to consider whether any exist. A permitted development fallback position can be a very special circumstance. In this case these PD rights remain intact including the right to extend the dwelling, enlarge the roof, erect porches and erect outbuildings (Classes A, B, D and E of Schedule 2, Part 1 of the Town and Country Planning General Permitted

Development Order, respectively). Implementing such rights would potentially cause greater harm to the Green Belt than this proposal. For example, the applicant could erect large outbuildings within the rear garden that would spread development and have a greater impact upon openness. The applicant could also erect dormers with a volume of up to 50m<sup>3</sup> and erect an extension at the rear of the property, measuring 3m in depth and extending across approximately half of the rear elevation. Under the prior approval process, a rear extension could be up to 6m in depth and in the officer's opinion, such an extension would be similar in overall scale to the extension currently proposed.

- 7.7.3 In the officer's opinion this fallback position weighs significantly in favour of granting the proposal. Moreover, this permission would enable permitted development rights to be removed which would provide a greater safeguard to the Green Belt in the future than the current situation. As such it is considered that very special circumstances exist to outweigh the harm to the Green Belt.

## **8.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITY DUTY**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included:

a) Making pre-application advice available to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development; and,

b) Providing feedback through the validation process, including placing information on the Council's website, to correct identified problems to ensure that the application was correct and could be registered.

- 8.2 Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this Duty.

## **9.0 CONCLUSION**

- 9.1 In combination with existing extensions to the dwelling the proposal represents a disproportionate addition over and above the size of the original dwelling and is therefore inappropriate and harmful development in the Green Belt. Visually, however, the proposal would cause very limited harm to Green Belt openness. No other harm has been identified with the proposal respecting the character and amenity of the area and neighbouring residential amenities. Very special circumstances exist to outweigh the Green Belt harm because of the permitted development fallback position. The proposal is therefore recommended for approval subject to the removal of permitted development rights.

## **10.0 RECOMMENDATION**

GRANT subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development to which this permission relates shall be carried out in accordance with the following plans:

ClearSpring\_SiteLocationPlan\_V2  
ClearSpring\_ProposedPlans\_V2  
ClearSpring\_ProposedElevations\_V2  
ClearSpring\_ProposedBlockPlan\_V2

All received 10/08/2021.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The materials used in the external finishes of the development to which this permission relates shall be those listed on the application form and the approved plans unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the visual amenities of the area and to accord with policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

4. Notwithstanding the provisions of Class A, Class B, Class C, Class D, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no further extensions, roof alterations, porches or outbuildings shall be erected on the site without the prior approval in writing of the Local Planning Authority.

Any development under the Classes stated above undertaken or implemented between the date of this decision and the commencement of the development hereby approved shall be demolished and all material debris resulting permanently removed from the land within one month of the development hereby approved coming into first use.

Reason: To retain controls in the interests of the openness of the Green Belt and to comply with the National Planning Policy Framework