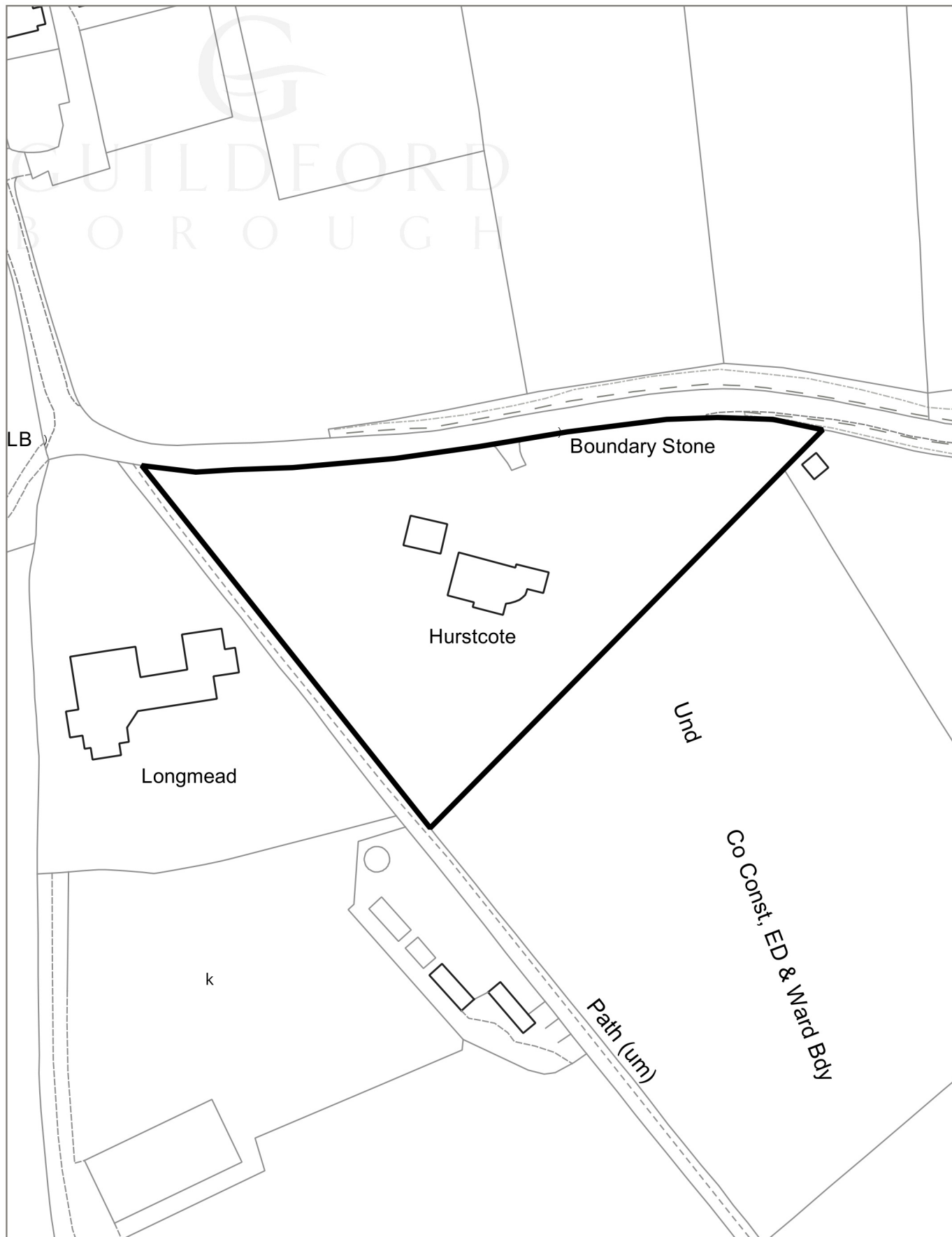


# 20/P/01377 - Hurstcote, Halfpenny Lane, Chilworth, Guildford



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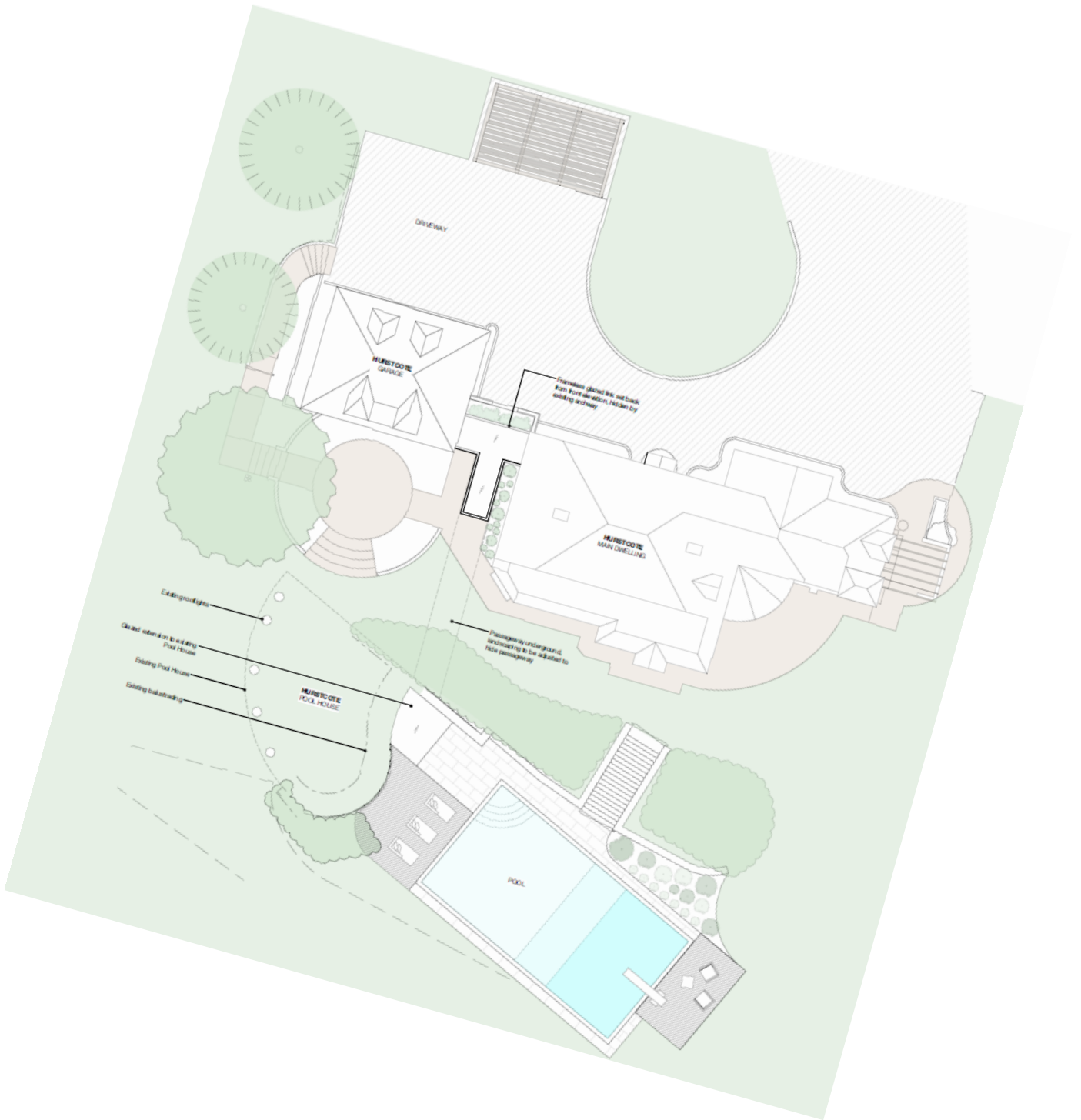


Not to Scale



GUILDFORD  
BOROUGH

20/P/01377 Hurstcote, Halfpenny Lane, Chilworth



Not to scale

**App No:** 20/P/01377

**8 Wk Deadline:** 09/10/2020

**Appn Type:** Full Application

**Case Officer:** Chris Gent

**Parish:** St. Martha

**Ward:** Holy Trinity

**Agent :** TROY Planning + Design

**Applicant:** Mr and Mrs Hufton

Broxhead House  
60 Barbados Road  
Bordon  
GU35 0FX

c/o Agent  
Hurstcote  
Halfpenny Lane  
Chilworth  
GU4 8PY

**Location:** Hurstcote, Halfpenny Lane, Chilworth, Guildford, GU4 8PY

**Proposal:** The erection of a glass link from the main dwelling to the existing garage, underground tunnel connecting the main dwelling to the existing outbuilding, extensions and alterations to the existing outbuilding, construction of swimming pool and a replacement store.

### **Executive Summary**

#### **Reason for referral**

This application has been called to committee by Councillor John Rigg on the grounds that the development does not result in an adverse impact on the openness of the Green Belt.

#### **Key information**

The erection of a glass link from the main dwelling to the existing garage, underground tunnel connecting the main dwelling to the existing outbuilding, extensions and alterations to the existing outbuilding, construction of swimming pool and a replacement store.

#### **Summary of considerations and constraints**

The proposal includes a glass link section and subterranean passageway connecting the main house with the existing garage and pool house.

The resulting building would represent a 138% increase in the size of the original dwelling. As such, the proposal would result in a disproportionate addition to the original building. The development would therefore constitute inappropriate development, which is, by definition, harmful to the Green Belt.

Case law confirms that the assessment of enlargements to buildings is NOT an openness assessment. A conclusion must be reached on whether it represents a disproportionate addition to the original building. This includes the provision of basement area. Given that the passageway connects the main dwelling to the existing garage and pool house, the outbuildings, given their attachment to the host dwelling, have been included in this figure.

The NPPF states that inappropriate development should not be approved except in very special circumstances. The following matters are put forward.

- approved CLUPD (20/P/00252) for an outbuilding could be implemented and is therefore a credible 'fallback' position

Whilst the applicant has relied upon the floor space that could be achieved by the approved CLUPD (20/P/00252) in support of the application, on balance, the Council is not convinced that this would be constructed given its relationship to the existing pool house, the change in land levels, and the overall landscape. Furthermore, whether or not there is harm to the openness of the Green Belt, or the lack of any other harm, does NOT outweigh the inherent harm by virtue of it being inappropriate.

As such, the harm to the Green Belt by reason of inappropriateness is not outweighed by other considerations. The proposal is therefore recommended for refusal.

### **RECOMMENDATION:**

#### **Refuse - for the following reason(s) :-**

1. The proposed development, by virtue of the floorspace uplift from the original building, width, depth and height, would result in a disproportionate addition over and above the size of the original building. The development would therefore constitute inappropriate development, which is, by definition, harmful to the Green Belt. No very special circumstances have been demonstrated which would outweigh the inherent harm to the Green Belt. The development therefore fails to accord with Chapter 13 of the National Planning Policy Framework (as revised on 24 July 2018) and policy P2 of the Guildford Borough Local Plan: Strategy and Sites (adopted by Council on 25 April 2019).

#### **Informatives:**

1. 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.

In this case pre-application advice was sought and provided which addressed potential issues. The application was considered to be unacceptable and no further amendments were sought.

2. This decision relates expressly to unnumbered site location plan, drawing numbers 0303-450 Rev P1, 0303-400 Rev P1, 0303-150 Rev P1, 0303-401 Rev P1, 0303-451 Rev P1, 0303-200 Rev P1, 0303-250 Rev P1, 0303-251 Rev P1, 0303-260 Rev P1, 0303-100 Rev P1 and additional information received on 17/08/2020.

## **Officer's Report**

### **Site description**

The application site is located inside the Green Belt and within an Area of Outstanding Natural Beauty and Area of Great Landscape Value. The site comprises a large, two-storey detached house within a large triangular shaped plot. A triple bay garage is located to the west of the building. To the rear, is a partially subterranean pool house outbuilding with just its eastern elevations exposed, making use of the fall in land levels to the south.

### **Proposal**

The erection of a glass link from the main dwelling to the existing garage, underground tunnel connecting the main dwelling to the existing outbuilding, extensions and alterations to the existing outbuilding, construction of swimming pool and a replacement store

### **Relevant planning history**

20/P/00252 - Certificate of Lawfulness for a proposed development to establish whether the erection of an outbuilding and three porches would be lawful. Approved - 02/04/2020.

10/P/00646 - Certificate of Lawfulness for proposed insertion of 2 roof lights on rear roof slope and 1 roof light on side elevation, to establish whether the works would constitute permitted development (amended plans received 02/06/10 and 03/06/10). Approved - 03/06/2010

09/P/01195 - Alterations to existing dormer windows to rear elevation of garage to form new balcony area. Approved - 28/09/2009

09/P/00713 - Erection of rear conservatory, external alterations to include rear dormer window, new dormer window to eastern elevation, full storey window to front elevation, replacement windows and doors, tile cladding to first floor, rendering to ground floor, partial demolition of log store and provision of balconies to existing rear dormer windows serving the garage (as amended by plans received 19/06/09). Approved 29/06/2009

09/P/00215 - Certificate of Lawfulness for proposed single storey rear extension, detached single storey outbuilding and outdoor swimming pool (as amended by plans received 09/03/09 & 31/03/09). Approved - 02/04/2009

88/P/00832 - Side extension to provide utility room and two bedrooms with en-suite bathrooms, and addition of four dormer windows in to roof space of triple garage to form store room (as amended 16/10/1989). Approved with conditions - 21/11/1989

87/P/01583 - Conversion and extension of existing pergola into a detached triple garage. Approved with conditions - 08/12/1987

### **Consultations**

St Martha Parish Council - recommends the application is approved

### **Third party comments:**

None received

## **Planning policies**

The following policies are relevant to the determination of this application.

### **National Planning Policy Framework (NPPF) (as revised on 24 July 2018)**

Chapter 12. Achieving well-designed places

Chapter 13. Protecting Green Belt land

Chapter 15. Conserving and enhancing the natural environment

### **Guildford Borough Local Plan: Strategy and Sites (adopted by Council on 25 April 2019)**

Policy D1: Place shaping

Policy P1: Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value

Policy P2: Green Belt

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):**

Policy G1(3)

Policy G5

## **Supplementary planning documents**

Residential Extensions and Alterations Guide 2018

## **Planning considerations**

The proposal is for the following development:

- erection of a glass link from the main dwelling to the existing garage
- underground tunnel connecting the main dwelling to the existing pool house outbuilding
- extensions and alterations to the existing pool house outbuilding
- construction of swimming pool
- replacement store

The main planning considerations in this case are:

- impact on the Green Belt
- impact on scale and character of the existing dwelling, the surrounding area, AONB and AGLV
- impact on neighbour amenity

### Impact on the Green Belt

#### **Swimming pool**

Paragraph 146 of the National Planning Policy Framework states "Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it". This includes 'engineering operations'.

The required excavation work for the swimming pool is deemed an engineering operation.

The proposal would measure to a depth of 15m and width of 8m. Given the acceptable scale of the engineering operation, and its position set into the sloping land levels to the south, the proposal would have a limited impact on the surrounding land, thus ensuring the openness of the Green Belt is preserved.

Paragraph 134 of the NPPF states that the Green Belt serves five purposes, one of which is to assist in safeguarding the countryside from encroachment. The proposal would encroach onto Green Belt land, however, as discussed above, it is a use which is acceptable in the Green Belt. Taking this into consideration and the open nature of the proposal and associated decking which would limit its impact on the openness of the Green Belt, the impact is not so significant that it would conflict with the purposes of including land in the Green Belt. This element of the proposal is therefore acceptable.

### **Glass link section, subterranean passageway and glass extension**

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 adopted Local Plan confirms that Green Belt policy will be applied in line with the NPPF.

The proposal is for a glass link section and subterranean passageway connecting the main house with the existing garage and pool house. A glass extension to the pool house is also proposed.

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

Original building: 232approx sq m (this does not include any outbuildings)

Existing building: 326approx sq m (this does not include any outbuildings)

Proposed (resulting) building: 554approx sq m (Officer note: The proposal is for a glass link section and subterranean passageway connecting the main house with the existing garage and pool house. Case law tells us that basement areas must be considered when carrying out an assessment of whether the development would be disproportionate. Given that the passageway connects the main dwelling to the existing garage and pool house, the outbuildings, given their attachment to the host dwelling, have been included in this figure).

(It should be noted that the above figures have been calculated using the plans submitted forming part of a previous application 09/P/00713 together with those submitted under this current application)

The resulting building would represent a 138% increase in the size of the original dwelling. As such, the proposal would result in a disproportionate addition to the original building. The development would therefore constitute inappropriate development, which is, by definition, harmful to the Green Belt.

### **Very special circumstances**

The NPPF states that inappropriate development should not be approved except in very special circumstances. The following matters are put forward.

- approved CLUPD (20/P/00252) for an outbuilding could be implemented and is therefore a credible 'fallback' position

This factor will be considered below in the balance

#### Impact on scale and character of the existing dwelling, the surrounding area, AONB and AGLV

The site comprises a large, two-storey detached house within a large triangular shaped plot. A large, triple bay garage is located to the west of the building. To the rear, is a partially subterranean outbuilding with just its eastern elevations exposed, making use of the fall in levels to the south.

This application seeks permission for the construction of a glass link between the main detached house and existing garage, an underground tunnel linking the main dwelling to the existing ancillary outbuilding, together with a glass extension to the ancillary outbuilding, the provision of a swimming pool and provision of a replacement enclosed area for residential storage.

The single storey size and form of the glazed link, combined with its position between two permanent structures and behind a brick wall, would preserve character of the building.

With regards to the pool building extension, this would be fully glazed and viewed in the context and massing of the existing structure. The design of the extension would not detract from the character of either the existing property or the surrounding area.

#### Impact on neighbour amenity

There is a single neighbouring property to the west (Longmead). Due to the good separation distance between the application dwelling and this neighbouring building, there are no neighbour amenity issues.

#### The balancing exercise

The proposal represents inappropriate development within the Green Belt, which should be given substantial weight in the balance.

The following matters are put forward:

- approved CLUPD (20/P/00252) for an outbuilding could be implemented and is therefore a credible 'fallback' position

Whilst the applicant has relied upon the floor space that could be achieved by the approved CLUPD (20/P/00252) in support of the application, on balance, the Council is not convinced that this would be constructed given its relationship to the existing pool house, the change in land levels, and the overall landscape.

As such, the harm to the Green Belt by reason of inappropriateness is not outweighed by other considerations. The proposal is therefore recommended for refusal.