



Appeal Decision

Site visit made on 10 March 2020

by M Heron BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 April 2020

Appeal Ref: APP/Q3630/D/19/3243791

295 Stroude Road, Virginia Water GU25 4DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Talib Mukhlis against the decision of Runnymede Borough Council.
 - The application Ref RU.19/0982, dated 1 July 2019, was refused by notice dated 4 October 2019.
 - The development proposed is the demolition of the existing conservatory. Changes to fenestration on ground floor side elevation. Erection of a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - whether the proposal is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - the effect of the development on the openness of the Green Belt; and
 - if the development is inappropriate, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal would be inappropriate development within the Green Belt

3. No 295 is a detached, chalet bungalow style, property set in a generous plot. It was granted in the 1950s and has been subject to various extensions over time. This includes a rear conservatory that sits between two single storey rear projections – one of which also appears to be an extension. This proposal seeks to replace the existing conservatory with a single storey rear extension and make other alterations to the fenestration.
4. The site lies within the Green Belt. The Framework states that the construction of new buildings in the Green Belt should be regarded as inappropriate, unless for one of a limited number of specified exceptions. One such exception is at paragraph 145(c) of the Framework. This is for the extension or alteration of a building provided that it does not result in disproportionate additions over and

above the size of the original building. Policy GB6 of the Runnymede Borough Local Plan Second Alteration 2001 (LP) predates the Framework and is not entirely consistent with its approach in this regard. In this instance, this policy states that 'exceptional circumstances' will need to apply to increases in floor area for extensions in excess of 30% of the size of the dwelling in May 1986. Under these circumstances, I afford more weight to the approach of the Framework than the Council's policy.

5. Depending on the date at which the existing floor area of No 295 is taken, the Council's officer report shows that the proposal would, in combination with previous extensions, increase the floor area of this property by between 30% and 40%. The appellant does not contest these figures. I therefore find that the proposal would contribute towards a significant increase in terms of the floorspace of the original dwelling.
6. However, the assessment of whether or not an extension is disproportionate is not only based on floorspace. It is also necessary to consider factors such as height, scale and mass. I appreciate that the proposal would be lower in height than the existing conservatory. Nevertheless, it would increase the footprint of No 295 by filling the entirety of the gap between the existing rear projections. It would also be marginally greater in depth than the conservatory. Overall, although the proposal would be subordinate when viewed in isolation, it would contribute towards a considerable increase in the bulk and mass of the original dwelling when viewed in context with the previous extensions.
7. Taking the above factors into consideration, the proposed development would result in disproportionate additions over and above the size of the original building. It would therefore not meet the exception identified at paragraph 145(c) of the Framework.
8. For the reasons given, the proposal would not fall within any of the exceptions outlined in the Framework and would be inappropriate development in the Green Belt. Paragraph 143 of the Framework shows that such development is, by definition, harmful to the Green Belt. I therefore find conflict with Policy GB6 of the LP insofar as it seeks to ensure that proposals do not result in an increase in built development which would have a harmful impact on the Green Belt.

Openness

9. The Framework states that the most important characteristics of Green Belts are their openness and their permanence. Openness has both spatial and visual aspects. In the context of the existing dwelling, the openness of this site has already been affected to a degree. In addition, the proposal would not be conspicuous within the streetscene and would be seen against the silhouette of No 295 when viewed from the rear. Consequently, it would not harm the openness of the Green Belt in a visual sense. However, the scheme would increase the presence of built physical development at the site. It would therefore give rise to limited harm to the openness of the Green Belt in a spatial sense.

Other Considerations

10. The proposal would be acceptable in a number of respects. For example, it would not result in harm to the character and appearance of the host property

or surrounding area. Neither would it harm the living conditions of the occupants at nearby properties. However, these are requirements of the development plan and are therefore neutral factors in my decision.

11. I also note that the proposal would extend a dwelling that is not isolated within the meaning of the Framework. However, this is not relevant to my assessment of the impact of the proposal on the Green Belt.

Planning Balance and Conclusion

12. The appellant states that Policy GB6 of the LP is out-of-date. Nevertheless, the Framework states that inappropriate development should not be approved except in very special circumstances. It goes on to advise that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
13. The other considerations put forward do not clearly outweigh the substantial weight that I give to the harm to the Green Belt, by reason of inappropriateness and harm to openness. Consequently, the very special circumstances necessary to justify the development do not exist.
14. Even if I were to consider that Policy GB6 of the LP was out-of-date, the application of policies in the Framework that protect assets of particular importance (in this case land designated as Green Belt) provide a clear reason for refusing the development proposed. As such, the presumption in favour of sustainable development identified at paragraph 11 of the Framework does not apply.
15. For the reasons set out above, regardless of the absence of objections from neighbours, the proposal would conflict with the development plan when read as a whole and the Framework. Material considerations do not indicate that a decision should be taken otherwise. Having considered all other relevant matters raised, I therefore conclude that the appeal should be dismissed.

M Heron

INSPECTOR