
Appeal Decision

Site visit made on 4 August 2020

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2020

Appeal Ref: APP/Q3630/D/20/3248334

South Lodge, Ruxbury Road, Chertsey KT16 9NJ

- 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 Mr Singh against the decision of Runnymede Borough Council.
 - The application Ref RU.19/1453, dated 4 October 2019, was refused by notice dated 13 December 2019.
 - The development proposed is described as extensions and roof extensions and alterations to existing dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Subsequent to the determination of the application that is the subject of this appeal, the Runnymede 2030 Local Plan (the Local Plan) was adopted by the Runnymede Borough Council in July 2020. The Council's Decision Notice referred to a conflict with saved policies contained in the Runnymede Borough Local Plan Second Alteration (2001). These policies have now been superseded by those contained within the recently adopted plan. Consequently, I have made my decision based on the policies included in the Local Plan.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, having regard to national policy and relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the living conditions of occupants of nearby properties, with particular regard to overbearing; and
 - whether any 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

Inappropriate development and openness

4. The appeal site is located off Ruxbury Road, in a predominantly residential area dominated by large detached houses located within generous plots, set back from the road. The area is identified as Green Belt in the Local Plan.
5. The National Planning Policy Framework (the Framework) states that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
6. Paragraph 145 of the Framework also states that the construction of new buildings should be regarded as inappropriate in the Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original dwelling.
7. The present proposal is a 4 metres deep rear extension of the existing detached dwelling, spanning its width, with a central section that is 6 metres deep. It also includes alterations to the front of the dwelling, the raising of the roof to a maximum height of 5.7 metres and the inclusion of dormers to the front and rear of the building.

The proposal would result in a total floor area of approximately 467 square metres which would represent an increase of approximately 132 square metres in relation to the existing dwelling.

There is no definition with the Framework of what constitute a 'disproportionate additions'. Nevertheless, Policy EE14 of the Local Plan, which replaces policy GB6 of the Runnymede Borough Local Plan Second Alteration (2001) states that new development should not materially increase the prominence of the development at the site.

8. Considering that, in addition to an increase in floorspace, the proposal would result in an increase in the overall bulk and height of the building, I conclude that, due to its size and design, the proposed extension would materially increase the prominence of the development at the site and, therefore, amount to a disproportionate addition according to Policy EE14 of the Local Plan.
9. In conclusion, having regard to the exceptions set out in paragraph 145 of the Framework, the proposal would be a form of inappropriate development in the Green Belt and, in this regard, be in conflict with Policy EE14 of the Local Plan, which aims to avoid disproportionate additions to dwelling in the Green Belt and the Framework.

Openness

10. An essential characteristic of the Green Belt, as set out in paragraph 133 of the Framework, is its openness and permanence. The concept of openness has both a spatial and visual dimension. In a spatial sense, any building on land that was previously free of development or a volumetric increase in the built form will have some impact on the openness of the Green Belt.

11. Although set back from the highway, the dwelling subject of this appeal is clearly visible from the public domain. In visual or perceived terms, the openness of the Green Belt derives from an absence of development. The proposal would result in an increase in the built form on site which would be easily perceived from the highway, therefore having a visual impact on the openness of the Green Belt.
12. The appellant contends that the visual dimension of openness will not be significantly affected as the proposed extension would not result in the height of South Lodge exceeding that of neighbouring dwellings, the building's frontage would not project substantially further forward than the existing building and the separation from the plot boundary would be similar to that of surrounding dwellings.
13. However, notwithstanding the above, the proposed increase would still introduce additional built footprint and volume to the host dwelling and increasing the built up and urbanised nature of the appeal site, which would be perceived from the public domain. Such an increase would have a greater impact, visually and spatially, on the openness of the Green Belt than the existing built form, therefore causing harm to the openness of the Green Belt.
14. Although I find that the harm would be moderate, Paragraph 144 of the Framework states that substantial weight should be given to any harm to the Green Belt.
15. In conclusion, the proposal would fail to preserve the openness of the Green Belt and, consequently, would be contrary to the Framework as a whole. Accordingly, I must give such Green Belt harm substantial weight in my assessment and determination of this appeal.

Living Conditions

16. The Council has also raised concerns regarding the impact the proposal would have on the living conditions of nearby properties, with particular regard to overbearing effect to Timbers Chase.
17. Although the existing dwelling at the appeal site is detached, its footprint lies in close proximity to the dwelling at Timbers Chase. Because of the height, bulk and overall design of the proposed development, the resulting building at South Lodge would be more noticeable from Timbers Chase than the present. Furthermore, the Council states that Timbers Chase has a side clear 'Perspex' roof extension forming a covered walkway to the side of Timbers Chase closest to South Lodge.
18. Although I accept that the proposed development would be more noticeable, and therefore form a more imposing presence when viewed from Timbers Chase, I do not find that the proposed increase in height and volume would materially harm the living conditions of the occupants of Timbers Chase, as the proposed increase would not materially alter the amount of sunlight reaching Timbers Chase or significantly affect outlook.
19. In conclusion, the proposal would not materially harm the living conditions of occupants of nearby properties and, in that regard, be in accordance with Policy EE1 which aims to ensure that the living conditions of occupiers of nearby properties are adversely affected by development.

Very special circumstances

20. The Framework requires me to come to a view as to whether or not, in Green Belt terms, there are other considerations that clearly outweigh the totality of the identified harm so as to amount to very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt, by way of inappropriateness, and any other harm, is clearly outweighed by other considerations.
21. I have found that the appeal scheme would amount to inappropriate development and the Framework requires that substantial weight is given to such harm. It found it would also reduce openness in the Green Belt.
22. The benefits of the proposed development primarily relate to its small, but still valuable, contribution to improving the housing supply in the area, those associated with the construction process and the spending potential of future occupants.
23. The appellant contends that any impact on the openness of the Green Belt should be assessed against the 'fall-back' position set by RU.20/0049. I accept that there is a "real prospect" of the fall-back position being realised. I therefore attached this substantial weight.
24. Although the implementation of RU.20/0049, according to the Appellant, would result in an extension that approximately 440 square metres, with a ground floor area of approximately 365 square metres, the extension would be a single storey back extension, that would not be readily visible from the public domain and would not result in a building that is higher than the existing one.
25. Accordingly, particularly bearing in mind the relative small scale of the development and benefits identified, given that the Framework indicates that substantial weight should be given to the identified Green Belt harm, in terms of it being inappropriate development and its effect on openness, any benefits of the appeal scheme would be comfortably outweighed by that harm.
26. Consequently, the very special circumstances necessary to justify the development are not present.

Other Matters

27. The appellant has drawn my attention to other developments in the area and appeal decisions that share similar characteristics with the appeal. However, I do not have full details of the nature of the proposal or the circumstances and material considerations that were relevant to its determination. Consequently, I cannot be sure that these are wholly representative of the circumstances in this appeal and, in any case, I must determine this appeal on its own merits.

Conclusion

28. For the reasons given above, I conclude that the appeal should be dismissed.

Andre Pinto

INSPECTOR