



Appeal Decision

Site visit made on 17 January 2022

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2022

Appeal Ref: APP/Q3630/D/21/3281722

Woodthorpe, Hamm Court, Addlestone KT13 8YB

- 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 Mrs Erica Stary against the decision of Runnymede Borough Council.
 - The application Ref RU.21/0145, dated 15 December 2020, was refused by notice dated 12 July 2021.
 - The development proposed is described as, "Single storey extension to road facing side of property and enlargement of terrace to river facing side of property".
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt;
 - the effect of the proposal on the openness of the Green Belt; and
 - if the proposal would be inappropriate development, 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 it.

Reasons

Whether Inappropriate Development

3. The National Planning Policy Framework (the Framework) establishes that the construction of new buildings within the Green Belt is inappropriate. There is a closed list of exceptions to this in paragraph 149 of the Framework. One of which relates to 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 (paragraph 149 c)). This principle is reflected in Policy EE14 of the Runnymede 2030 Local Plan (adopted 2020) (Local Plan) which provides that, amongst other things, the extension of a building is not inappropriate development provided that it does not result in disproportionate additions over and above the size of the original building.
4. Policy EE14 of the Local Plan provides that when assessing a proposal it is necessary to take into account the planning history of the site (post 1st July 1948) including any previous extensions or enlargements including previous

works carried out under permitted development. The appellant has queried the 1948 base date. However, this base date is consistent with the definition of 'original building' given in Annex 2 of the Framework and it is contained in an adopted planning policy. Bearing in mind that the planning system should be genuinely plan-led, I have had regard to the 1948 base date.

5. Due to its fairly limited scale, when considered in isolation the proposed enlargement of the terrace to the river-facing side of the property would not conflict with paragraph 149 c), and hence my assessment below focusses on the proposed single storey extension to the street-facing side of the property.
6. The Green Belt Impact Statement, submitted by the appellant, refers to the floor area of the garage. However, both Policy EE14 and the Framework refer to the 'original building', and in this regard as the proposed development only relates to the appeal property and the terrace to the river-facing side of the property, my assessment with respect to paragraph 149 c) of the Framework excludes the garage.
7. The main parties disagree on exactly when the appeal property was constructed, with the Council suggesting 1950 and the appellant suggesting that it was constructed following a planning permission granted in 1952. The appellant has provided evidence, which has not been disputed by the Council, that the appeal property was extended following grants of planning permission given in 1977, 1985, and 1995 (implemented in 2000), with planning permission given in 1986 for the erection of a pitched roof over a previously constructed extension.
8. The appellant has stated that the floor area of the appeal property in 1986 was approximately 140 square metres, and that the 2000 extension added approximately 38 square metres to the property. These figures have not been disputed by the Council. The main parties disagree on the additional floor area that would be created via the proposed single storey extension to the street-facing side of the property. However, considering that the figures are broadly similar, I have used the appellant's figure of approximately 22 square metres. On this basis, the proposed single storey extension to the street-facing side of the property, when considered in addition to the 2000 extension, would result in a considerable uplift in floor area over and above the appeal property as it existed in 1986.
9. In light of the above, and considering that the appeal property was also previously extended prior to 1986, it is clear that the proposed single storey extension to the street-facing side of the property, in combination with the previous extensions, would result in a significant increase in size over the original building. Furthermore, although the proposed single storey extension to the street-facing side of the property would replace an existing structure, overall it would comprise an erection of far greater bulk, scale and massing than that structure. Moreover, it would reach the maximum height of the property and it would extend the property by some margin.
10. I therefore find that the proposal would result in disproportionate additions over and above the size of the original building, in conflict with paragraph 149 c) of the Framework. The proposal therefore constitutes inappropriate development in the Green Belt for the purposes of the Framework and Policy EE14 of the Local Plan. Inappropriate development is, by definition, harmful to the Green Belt.

Openness

11. The Framework denotes openness as an essential characteristic of the Green Belt. The openness of the Green Belt has a spatial aspect as well as a visual aspect. 'Open' can mean the absence of development in spatial terms, and it follows that openness can be harmed even when development is not readily visible from the public realm.
12. Due to the mature vegetation and trees present along the boundaries to the street-facing side of the plot, the proposed single storey extension to the street-facing side of the property would have a limited visual impact on the openness of the Green Belt. Similarly, due to its fairly small scale, the proposed enlargement of the terrace to the river-facing side of the property would not materially impact the openness of the Green Belt in visual terms.
13. Nevertheless, the proposal as a whole would increase the spread of development to both the front and the rear of the site. In particular, the proposed single storey extension to the street-facing side of the property would materially augment the bulk and massing of the property. Consequently, the openness of the Green Belt would be reduced in spatial terms, resulting in harm to the Green Belt.

Other Considerations

14. The Framework makes it clear at paragraph 148 that substantial weight is given to any harm to the Green Belt. It establishes 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.
15. There have been no objections to the proposal from neighbours or other local residents. The Council did not refuse the application on matters relating its impact on the living conditions of neighbouring occupiers, nor on grounds relating to parking, flooding or biodiversity. However, even if I were to likewise reason that the proposal would be acceptable in these respects, these would be neutral factors rather than ones which weigh positively in favour of the proposal.
16. Having regard to the aims of the Public Sector Equality Duty contained in the Equality Act 2010 (as amended), it is recognised that the proposed development would assist in meeting the health needs of the appellant. However, as this would mainly be a private benefit, and as these are personal circumstances which can change over time, this consideration has been given no more than moderate weight in favour of the proposal.
17. The proposal would also improve the living accommodation available to the appellant more generally, including with respect to more usable space via the proposed enlargement of the terrace to the river-facing side of the property, and through greater and more convenient access to the property. However, as this would mainly be a private benefit, this has been given limited weight.

Balancing of Considerations

18. The proposal would be inappropriate development in the Green Belt and would result in a reduction in its openness. These matters carry substantial weight. Taken together, I find that the other considerations in this case do not clearly

outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the proposal do not exist. Therefore, the proposal would not comply with the Green Belt aims of Policy EE14 of the Local Plan, or the Framework, and consequently would be unacceptable.

Conclusion

19. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal is dismissed.

Alexander O'Doherty

INSPECTOR