



Appeal Decision

Site visit made on 31 January 2023

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 FEBRUARY 2023

Appeal Ref: APP/Q3630/D/22/3301965

Timbers Chase, 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 & Mrs P Hawksley against the decision of Runnymede Borough Council.
 - The application Ref RU.21/1960, dated 15 November 2021, was refused by notice dated 12 April 2022.
 - The development proposed is a two storey front extension and conversion of loft to habitable accommodation including 3 dormers.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework 2021 (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt; and
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development

3. The Framework establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraph 149. Criterion c) of paragraph 149 has been cited by the appellant as pertinent to this appeal, which applies 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. Policy EE14 of the Runnymede 2030 Local Plan, adopted July 2020 (RLP) is consistent with the approach in the Framework, as among other things, it also refers to extensions not being inappropriate development providing it does not result in disproportionate additions.
4. Neither the Framework or the RLP provide a definition of 'disproportionate additions' and therefore an assessment of whether a proposal would amount to

- a disproportionate addition over and above the size of the original building is a matter of planning judgement. The appellant refers to a 30% increase in floorspace being proportionate in Runnymede historically, however this figure is unsubstantiated in either policy or supplementary planning guidance.
5. The appeal site consists of a two-storey detached family dwellinghouse located on the southern side of Ruxbury Road. The appeal site has been extended in the past including an extension to the garage, increasing the footprint by approximately 3m² and a full width flat roof dormer extension to the front elevation. The proposal would provide a two-storey front extension with three front gables, and a loft conversion incorporating a large flat roof at the ridge line with three rear roof dormers to provide additional accommodation in the roof space.
 6. The appellant indicates that the existing extension and the proposal combined would amount to a 24.6% increase in the overall footprint of the existing property with the extension providing 11.5m². Whilst the proposal would provide a modest increase in the overall footprint of the property, the scheme would nevertheless increase the mass, bulk and volume of the existing property, particularly at the roof level.
 7. I have been referred to other examples of properties in Ruxbury Road which have been extended and the appellant considers show inconsistency in decision making by the Council. From the information I have been provided and from my own observations, it is acknowledged that there are several large extensions in the vicinity, notably at 'Southfields', 'Collingwood' (adjoining the appeal site) and 'Pentire'. However, I have not been presented with the full details in respect to the history of these cases and whether or not the schemes were considered disproportionate to the original dwelling. In any case, each scheme must be considered on its own merits. While consistency in decision making is important, ultimately, what constitutes an exception under Green Belt policy needs to be determined in the light of the specific circumstances and context of each case. I am not therefore persuaded that these examples are directly comparable to the proposal before me.
 8. It is acknowledged that the appeal site is set back from the road by a considerable distance, but the property and parts of the proposal would be visible from public land along Ruxbury Road. Taken together, the proposed extensions due to their extent and massing, relative to the existing house and its roofscape would amount to substantial roof form changes to the property, and one which I find to be disproportionate over and above the size of the original building. Accordingly, the proposal would be inappropriate development in the Green Belt.

Openness

9. There are spatial and visual aspects to the assessment of the openness of the Green Belt. In spatial terms, the scheme would provide extensions to the roof treatment on the front, side and rear elevations. These extensions would increase the quantum of development to a noticeable degree, and therefore would have adverse impact on the openness of the Green Belt in spatial terms.
10. With regard to the visual aspect, the property is visible from public vantage points along Ruxbury Road, albeit limited, given the significant set back from the roadside. Views of the rear and side would be less visible in the

surrounding area given existing levels of enclosure and private gardens. However, the increase in mass at the roof level when viewed from the front, would be clearly visible from the surrounding area and as such, would intrude upon the openness of it. That said, the site itself occupies a residential area which includes other two storey developments with a variety of styles and finishes, which contrasts with the much less developed open space that surround the area. As such, given the ribbon of existing development and variation in design, I conclude in visual terms, the scheme would have limited effect on the visual aspect of openness of the Green Belt.

11. Overall, whilst I find there would be limited harm to the visual and spatial dimensions of the openness of the Green Belt, there would be harm nevertheless. Therefore, the proposal would fail to preserve the openness of the Green Belt.

Other considerations

12. The appellant refers to a fallback position and has presented indicative drawings¹ with regard to potential permitted development rights and prior approvals in respect to larger extensions. However, I have not been provided details of either a formal certificate of lawfulness or confirmation of prior approval, the latter of which would be subject to neighbouring consultation. As such, in regard to these alternative schemes I cannot be sure that there would be a greater than theoretical possibility that these developments might take place as realistic or probable alternatives. I therefore give limited weight to this as a fallback option.
13. I understand that the appellant has attempted to address the concerns raised by the Council prior to the submission of the current proposal. However, whether or not this scheme is an improvement on that previous, the Council ultimately refused the application for the reasons stated. I must determine the appeal in this context and on the basis of the proposal and evidence before me now. Accordingly, I give this matter limited weight.

Green Belt balance

14. The development plan and the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework 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.
15. As explained above, whilst I have identified other considerations such as the fallback and other local examples of extensions, I give these only limited weight in support of the proposal and conclude that, these do not clearly outweigh the harm the scheme would cause to the Green Belt by reason of its inappropriateness. As such the very special circumstances necessary to justify the development do not exist.

¹ Appendix K – Possible Extensions under Permitted Development Rights

Conclusion

16. For the reasons set out above, 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 other than in accordance with that plan. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Robert Naylor

INSPECTOR