



Appeal Decision

Site visit made on 8 November 2023

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th November 2023

Appeal Ref: APP/Q3630/D/23/3317846

Tudor Rose, 25 Laleham Reach, Chertsey, Surrey KT16 8RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr & Mrs McBride against the decision of Runnymede Borough Council.
 - The application Ref RU.22/1674, dated 27 October 2022, was refused by notice dated 19 December 2022.
 - The development proposed is first floor extension to bungalow.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for first floor extension to bungalow at Tudor Rose, 25 Laleham Reach, Chertsey, Surrey KT16 8RR in accordance with the application ref: RU.22/1674 dated 19 December 2022, and the plans submitted within it including drawing Nos P101; P102; P103; P104; P105; P106.

Main Issue

2. There is no dispute between the parties that the proposed development would meet the criteria set out under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), provided it would meet the conditions set out at paragraph AA.2 of the GPDO. From the evidence before me, there is nothing to lead me to a different conclusion.
3. The main issue in this appeal is therefore whether prior approval should be granted when the proposed development is assessed against condition AA.2 (3) (a) (ii) of the GPDO in relation to the external appearance of the dwellinghouse.

Reasons

4. Laleham Reach comprises a fairly large group of detached two-storey houses and single-storey bungalows, which predominantly front the River Thames. As a result, the properties and the highway follow the curve of the river. The houses and bungalows are diverse in their appearance, varying in their heights, forms, and designs.
5. On the opposite side of the highway to the river there is a large area of green open space, bounded by trees and close by is Penton Hook Island which

- comprises many trees. Together with the openness of the river, which is fairly wide at this point, this gives Laleham Reach an open and verdant character.
6. I saw on site that the primary and more open view of the properties along Laleham Reach is from the opposite side of the river. Views of the houses and bungalows from the adjacent highway tend to be partly blocked by boundary treatments, garages, and other outbuildings at the rear of the plots. Notwithstanding this, given the width of the river, the properties on the opposite side of it have a limited effect on the visual context of Laleham Reach. In terms of the appeal property, it is viewed alongside a group of bungalows to the west, as well as the properties of Coombe Bank, Meadowsweet and Loch Fyne to the east, despite larger gaps between these properties.
 7. The appeal property is a detached bungalow, set within a fairly narrow plot. There is a degree of consistency in the immediate area, resulting from the group of bungalows to the west, which all have a similar single storey, low profile, modest appearance and are built on fairly narrow plots, which fan around a bend in the river.
 8. Nevertheless, although the appeal property shares some of the characteristics of this group of similar bungalows, unlike the others, which have very gentle pitched roofs, the appeal property has a much steeper, hipped roof. This makes it appear taller and gives it quite a different appearance from the rest of the group. Furthermore, Coombe Bank, Meadowsweet and Loch Fyne to the east of the appeal property also have a different appearance to the group of similar bungalows, including different scales and roof profiles.
 9. The proposed development would add a modest height second storey to the appeal property. The additional storey would replicate the roof form, architectural detail and materials of the existing bungalow and would include an appropriate arrangement of fenestration. Thus, it would not appear out of character with the host dwelling.
 10. I appreciate that, given the modest height of the neighbouring property, Coombe Bank, and the low-profile of the group of similar bungalows, a more significant increase in height, such as that proposed in the previously refused application, Ref: RU.22/1388, would likely result in the appeal property appearing visually dominant. However, in this case, the increase in height would be minor, with the height of the resultant property being modest and shorter than the nearby property, Meadowsweet. Thus, the resultant external appearance of the appeal property would not be at odds with the appearance of the immediate area, nor would it be visually dominant. While the small increase in height would make the appeal property larger, it would not result in any appreciable harm to the open and verdant character of Laleham Reach. In coming to this view, I have taken account of the CAB housing judgement¹, which supports a wider interpretation of condition AA.2 (3) (a) (ii) of the GPDO, where such effects are material.
 11. The appellant has drawn my attention to some other examples of development on Laleham Reach. With the exception of Meadowsweet and Loch Fyne, these examples are relatively far from the appeal property and there is intervening built form. While they add to the more diverse appearance of the wider area,

¹ Cab Housing v The Secretary of State for Levelling Up, Housing and Communities [2022] EWHC 208 (Admin)

they are not determinative, and I have afforded them limited weight in my decision.

12. In conclusion, for the reasons above, the resulting appearance of the dwellinghouse would not be visually dominant or out of keeping and would not result in any appreciable harm to the character and appearance of the area. It would therefore accord with the aims of Chapter 12 of the National Planning Policy Framework, which seek to create high quality, beautiful and sustainable buildings, and places by, among other things, ensuring developments are visually attractive and sympathetic to local character. It would also comply with the similar provisions of Policy EE1 of the Runnymede 2030 Local Plan (2020) and the Runnymede Design SPD (2021).

Conditions

13. Any planning permission granted for development under Article 3(1) and Schedule 2, Part 1, Class AA of the GPDO is subject to conditions set out in paragraph AA.2, sub-paragraphs (2) and (3). These specify that the materials used in any exterior work must be of a similar appearance to those used in the exterior of the existing dwellinghouse, the development must not include a window in any wall or roof slope forming a side elevation, the resulting roof pitch must be the same as the existing dwellinghouse, and the development of the dwellinghouse must be used as a dwellinghouse. They also require the developer to provide the local planning authority with a report for the management of construction of the development, complete the development within a period of 3 years starting with the date prior approval is granted and notify the local planning authority of the completion of the development.
14. The Council has suggested that 4 conditions be imposed on any permission. However, the suggested conditions repeat some of those set out in paragraph AA.2, sub-paragraphs (2) and (3) and it is not necessary for me to impose them again.

Conclusion

15. For the reasons above, I conclude that the appeal should be allowed and prior approval should be granted.

Hannah Guest

INSPECTOR