
Appeal Decision

Site visit made on 2 May 2025

by **G Sylvester BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 May 2025

Appeal Ref: APP/Q3630/W/24/3343235

34 Riverside, Egham, Surrey TW20 0AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Gerry Kelly against the decision of Runnymede Borough Council.
 - The application Ref is RU.22/1158.
 - The development proposed is a rear extension and roof alterations to annex/garage building.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. There are material differences between the proposed development shown on the submitted drawings and what has been built on the appeal site, albeit their respective scales and forms appeal substantially the same.
3. For example, there are 3 bedrooms, and the first floor appeared to include the floor space beneath the roof slopes. The ground floor kitchen was larger than shown on the floor plan drawing and included most of the room labelled 'Gym' and the staircase in an open plan layout. There appeared to be a full height window in the side elevation where a door is shown. The pairs of roof lights in the front and rear elevations appeared closer together.
4. Due to these differences, I have assessed the effects of the development shown on the proposed drawings and not that which has been built. Accordingly, in this decision I refer to the building shown on the existing drawings as 'existing' and the extension shown on the proposed drawings as being 'proposed'.

Main Issues

5. The main issues in this appeal are:
 - Whether the proposed development would be inappropriate development in the Green Belt having regard to any relevant development plan policies and the Framework.
 - The effect of the proposed development on the openness of the Green Belt.
 - The effect of the proposed development on the character and appearance of the area.
 - If the proposal is inappropriate development in the Green Belt, whether the 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 it.

Reasons

Whether inappropriate development

6. Policy EE14 of the Runnymede 2030 Local Plan Adopted July 2020 (“the RLP”), sets out that the extension of a building is not inappropriate development in the Green Belt, provided it does not result in disproportionate additions over and above the size of the original building.
7. RLP Policy EE14 does not define disproportionate additions in numerical terms. The policy requires consideration of several relevant factors, including any previous extensions or enlargements, the existing and proposed floorspace and built footprint, changes in mass, bulk and height of buildings, including roof form.
8. The National Planning Policy Framework (“the Framework”) does not define disproportionate additions for the purposes of the exception to inappropriate development in Paragraph 154.c). Therefore, the factors in RLP Policy EE14 that are relevant to assessing whether alterations or extensions would result in disproportionate additions do not conflict with the Framework’s policy in respect of extensions in the Green Belt. It follows that I find RLP Policy EE14 to be consistent with the Framework’s exception in Paragraph 154.c).
9. The Framework defines an original building as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. I am not aware of an alternative definition in the RLP, so have used the Framework’s definition. The proposed development is a rear extension and roof alterations to a detached garage building, latterly certified by the Council as an annex, which stands at the bottom of the garden of the host dwelling. The appellant says that the outbuilding and dwelling at the appeal site were built at the same time, occupy the same planning unit, and should be considered together as the ‘original’ building.
10. In *Sevenoaks District Council v SSE & Dawe* [1997], it was held that a normal domestic adjunct, in that case a garage, could be treated as an extension to a dwelling, even if physically detached from it. In the judgment of *Warwick District Council v SSLUHC & Mr J Storer & Mrs A Lowe* [2022] EWHC 2145 (Admin), it was held that the Framework’s exception in Paragraph 154.c) can include structures which are physically detached from the building of which they are an extension. However, in both judgments, whether a new detached building was or was not an extension would be a matter of fact and degree having regard to its proximity to the existing building, its purpose and use, and factors such as the size of the buildings.
11. Use of the appeal outbuilding as an annex/garage would appear to fall within that of a normal domestic adjunct. However, it is situated some 25 metres or so from the host dwelling. The two buildings are separated by a long garden comprising of a closely mown lawn and driveway. Due to this physical distance of separation, I do not find the appeal building to be closely associated with the dwelling. Furthermore, even if built at the same time, the original outbuilding and dwelling were subject to different planning applications and were granted planning permission at different times, with more than a year separating those decisions. For these reasons, I find that the appeal building cannot be considered as an

extension to the dwelling. The garage and dwelling are therefore separate buildings, not a single building for the purposes of applying Green Belt policy.

12. In the judgment of *Tandridge District Council v SSCLG & Jason Syrett* [2015] EWHC 250 (Admin) it was held that the word “building” should not be read as excluding more than one building, providing as a matter of planning judgement they can sensibly be considered together in comparison with what is proposed to replace them. However, *Tandridge* was context specific and concerned the case of a replacement building under the “not materially larger” test in the Framework’s exception in what is now Paragraph 154.d). It does not imply that “building” could and should always be interpreted as also being in the plural.
13. I have found that the garage in this appeal is a separate building to the dwelling and is not being replaced. The test of disproportionality in the Framework’s exception in Paragraph 154.c), is narrowly set against the size of the original building to be altered or extended, as defined in singular terms by the glossary. There is nothing in *Tandridge* that changes the Framework’s definition of an ‘original building’. I find no compelling justification, in the case before me, to step away from this definition and assess the proportionality of the proposal against any building other than the original garage to which it is an extension.
14. The evidence indicates that the double garage was granted planning permission in November 1982, ref RU.82/0569, with a floor area of some 34 sqm, and a height of around 5.2m. A subsequent ground floor side extension and rear facing dormer increased its floor area to some 75 sqm (an increase of some 41 sqm or 120%) of which approximately 29 sqm was at first floor level and contained largely within the original roof space. The proposed extension would increase the total floor space within the annex/garage building to some 100 sqm, which equates to an increase of approximately 66 sqm over that of the original garage or 195%.
15. The evidence indicates that the dwelling was granted planning permission in October 1980, ref RU.80/0867 and was amended in April 1981 ref RU.80/0867/2. The description of development refers to it as a chalet bungalow of 151 sqm, although a much later Council Officer report to retain front and rear dormers quotes an original floor area of 169sqm. The appellant refers to a slightly larger floor area of around 173 sqm.
16. The appellant’s calculations indicate that the proposed development would increase the total floor space within the annex/garage building by around 75% over that of the original dwelling, or around 46% over that of both the original garage and original dwelling taken together.
17. Whichever way I assess the appeal proposal on the evidence that is before me, I find that the floor area calculations provide a clear indication that the proposed development, taken together with previous additions, would result in disproportionate additions over and above the size of the original garage, the original dwelling, or both original buildings combined.
18. In accordance with RLP Policy EE14, floor area is not the only way to assess the cumulative size of additions over and above the size of the original building. However, it is clear from the drawings that the proposed extension would increase the footprint of the building to its rear, and the length and massing of its flank walls. The existing roof would be largely subsumed by the elevated massing of the proposed crown roof form, which would have a relatively tall eaves level. The

proposed extension would result in an obvious increase in cubic volume and would markedly increase the building's bulk and massing.

19. For these reasons I find that the size of the proposed extension, when taken together with other extensions already undertaken at the appeal property, would amount to a disproportionate addition to the original building, be that the original garage, the original dwelling or both buildings combined.
20. Guidance used by councils other than Runnymede to assess whether enlargements to buildings in the Green Belt would be proportionate in size are not before me in evidence. As such, the numerical size range quoted in the appellant's statement is of limited relevance and weight to my considerations in this appeal, and it does not lead me away from assessing the proposal against development plan policy and the Framework.
21. Consequently, whichever way I assess the appeal proposal, the disproportionate size of the proposed extension would be inappropriate development in the Green Belt, in conflict with RLP Policy EE14 and the exception in Framework paragraph 154 c). The Council did not assess the appeal proposal against the purposes of the Green Belt in Framework Paragraph 143. Given that I have found the appeal proposal to be inappropriate development, I find no basis to undertake such an assessment.

Effect on Green Belt openness

22. The Framework indicates that openness is an essential characteristic of the Green Belt, and a fundamental aim of Green Belt policy is to keep land permanently open. The openness of the Green Belt has a spatial aspect as well as a visual aspect.
23. The volume, bulk and massing of the proposed extension would be closely associated with that of the existing building, and seen amongst other buildings, including the backdrop of some larger dwellings. Nonetheless, it would inevitably reduce the openness of the Green Belt through occupying space on the appeal site where built form does not exist. The building's larger size would result in a reduction in visual openness that would be clearly visible from the access track and nearby properties, including in glimpses from the public highway.
24. For these reasons, I conclude on this issue that the appeal proposal would result in a moderately harmful loss of openness in the Green Belt, contrary to the aim of keeping it permanently open. In reaching this conclusion I have had regard to the established principles in the caselaw brought to my attention by the appellant.

Character and appearance

25. The appeal building is one of a number of outbuildings that are set in a row at the bottom of the gardens of dwellings. The outbuildings are clearly visible from the access track off the A308 and from nearby properties, and they can also be glimpsed from that road.
26. Although of different sizes and designs, most display simple pitched roofs with relatively low eaves heights and long main roof slopes. The distances between their roof eaves and the tops of their roofs are broadly equivalent to, or greater than, the distances between ground levels and eaves levels. These characteristics give the outbuildings regular and consistent proportions that reflect the proportions

of dwellings in the area. They contribute positively to the broadly consistent residential character and appearance of the area.

27. The garage shown on the existing drawings has a pitched roof with a relatively long front roof slope and low eaves heights. The proportions of the building's walls and roof form are therefore broadly consistent with the buildings in the area, and its appearance contributes positively to the character and appearance of the area. The relatively narrow and modest scale of the existing rear facing dormer, which is not readily visible in public views from the access track, does not dominate its roof form.
28. The proposed extension would not increase the overall height of the garage. However, its built form would markedly increase the scale and massing of the garage, particularly at an elevated level where its longer flank elevations and extensive crown roof would subsume its existing roof form. The higher eaves level would result in a discordant mixture of relatively short roof slopes set above comparatively tall walls. This would give the building an awkwardly proportioned and bulky appearance that would be harmfully jarring against the consistent appearances of the nearby buildings. Constructing it from matching materials, would not affect its scale and proportions, and would not overcome the harm.
29. The appeal proposal would therefore conflict with the guidance in the Council's Design Supplementary Planning Document (SPD) which requires extensions to respect and enhance the character of the original building, including its style and proportions, and contribute positively to the character of the area.
30. The roofs of the rear dormer and short rear facing single storey wing of Number 34 also have short slopes. However, the existing rear dormer is integrated into the main roof of Number 34 and its main rear facing roof slope is visible above and to the sides of the dormer. The rear wing to Number 34 is much smaller than the appeal proposal with a lower eaves level. As such, the appeal development would be markedly different in proportions and appearance to the dwelling at Number 34, despite the matching materials.
31. The nearby warehouse type building is markedly different in scale, form and appearance to the prevailing character and appearance of the area. As such, it is an anomaly that does not set a visual context for the appeal proposal and its presence is of limited relevance and weight to my considerations.
32. For these reasons, I conclude on this main issue that the appeal proposal would harm the character and appearance of the area, contrary to RLP Policy EE1, insofar as it expects all development to achieve high quality design that responds to the local context, with particular regard to, amongst others, the guidance in adopted planning documents including the SPD.
33. For the same reasons the appeal proposal would be contrary to Framework Paragraphs 131, 135 and 139, insofar as planning decisions should ensure that developments are well designed, visually attractive and sympathetic to local character, including the surrounding built environment, and that development that is not well designed should be refused.
34. Although living conditions are not in dispute in this appeal, I do not find RLP Policy EE1, insofar as it requires development to have no adverse impact on the amenities of occupiers of property, to be inconsistent with the Framework's policy

in Paragraph 135 of creating places with a high standard of amenity for existing and future users. Taken as a whole, RLP Policy EE1 is consistent with the Framework's policies on achieving high quality design.

Other considerations

35. The spend on labour and materials during construction would be economically beneficial. However, given the scale of the proposed development, those benefits would small and of modest weight in its favour. Constructing the proposal to be flood resilient in accordance with the flood risk assessment is a matter of limited weight in its favour.
36. The proposal would benefit the appellant and their family through the provision of additional living accommodation to meet their requirements. However, as the negative effects of the proposed development would likely remain long after the appellant's personal circumstances cease, I find that those benefits carry only modest weight in its favour.
37. Details of any alternative development at the appeal site are not before me. The general prospect of a future planning application establishing a fallback position is a matter of limited weight in favour of the appeal proposal.
38. Given my findings on the main issues, I attach limited weight to the views of the interested party that the proposal would improve the appeal building and cause no harm to the Green Belt.
39. An absence of harm and objections in respect of all other matters, including to the living conditions of nearby occupiers, are neutral factors that do not weigh in favour of the development, nor against it.

Green Belt Balance and Conclusion

40. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Harm to the Green Belt should be given substantial weight. Given the importance placed by the Framework on achieving good design and high quality buildings and places, the proposal's harmful effect on the character and appearance of the area weighs significantly against it. 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.
41. The weight that I have given to those other considerations would not clearly outweigh the totality of the harm to the Green Belt by reason of inappropriateness and loss of openness, and the harm to the character and appearance of the area. Consequently, the very special circumstances necessary to justify the proposed development do not exist.
42. The proposal would therefore conflict with RLP Policies EE1 and EE14, and the Framework's policies on the Green Belt and those that seek to ensure that developments are visually attractive and sympathetic to local character, including the surrounding built environment. For these reasons, the proposed development would conflict with the development plan as a whole, and there are no material considerations of sufficient weight, including the provisions of the Framework, to outweigh this finding.

43. Even if I were to consider the appeal proposal against the Framework's policies and no others, I have found conflict with the Framework, including its policies that protect the Green Belt. Those policies provide a clear reason for refusing the development proposed.
44. For the reasons given above, I conclude that the proposal is unacceptable, and the appeal should be dismissed.

G Sylvester

INSPECTOR