
Appeal Decision

Site visit made on 22 March 2017

by Nick Fagan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4th April 2017

Appeal Ref: APP/T0355/D/16/3164963

Great Martins, Shurlock Row, Reading, Berkshire RG10 0PN

- 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 D Brownlow against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/02179, dated 27 June 2016, was refused by notice dated 28 October 2016.
 - The development proposed is to demolish outbuildings and erect a swimming pool building.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of outbuildings and erect a swimming pool building at Great Martins, Shurlock Row, Reading, Berkshire RG10 0PN in accordance with the terms of the application, Ref 16/02179, dated 27 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1130 Rev A; 1289 Rev A; 1290 Rev B; 1291 Rev B; 1292 Rev B; 1293; 1390 Rev A; 1391 Rev B; 1392 Rev A; 1393 Rev B; 1394 Rev B; & 1395 Rev B.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the above approved drawings.

Procedural Matter

2. The application form gives the street address as Martins Lane but the Design and Access Statement makes clear that the site bounds Callins Lane to the south and Shurlock Row Lane to the west.

Main Issue

3. Would any harm by reason of inappropriateness, and any loss of openness, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

4. Great Martins is a large house in a 7 hectare estate on the northern edge of Shurlock Row, a village located immediately north of the M4 approximately
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equidistant between Reading and Maidenhead. Most of the village lies within the Shurlock Row Conservation Area, including the southern half of the site, which incorporates the house, adjoining stables building and the site of the proposed building. The whole site lies within the Green Belt.

5. The house is a Grade II listed building. The listing description dated 1955 describes it as sixteenth century, altered in the seventeenth and late twentieth centuries and extended in the early nineteenth century. The original timber-framed Tudor manor house was re-cased in brick in the early seventeenth century and is likely to be one of the earliest brick-built houses in Berkshire.
6. The listing description omits to mention the Victorian villa erected in 1860 attached to the western elevation of the original house, which was built by the owner of a brewery established at the site in about 1850. The brewery buildings built at this time stretched south to Callins Lane, but these were demolished when a large extension was built to the east of the main house in 1928. The Council considers the detached nineteenth century stable building to be curtilage listed because it was built before 1948 and is functionally related to the house.
7. On the same date the Council refused planning permission it granted listed building consent for the proposed development because it would preserve the character of the listed building.¹ There is no suggestion by the Council that the proposed building would fail to preserve the character and appearance of the Conservation Area, a stance I agree with. The statutory duties in this respect have been (in terms of the listed building consent) and would be adequately discharged if the appeal was successful.² There is no conflict with development plan or relevant national policy on designated heritage assets. Nor is there any objection to the development on grounds other than those in relation to Green Belt matters.
8. The house and grounds have been carefully, sensitively and skilfully restored by the appellant since he purchased the property in February 2014. This restoration has included the removal of various ancillary estate buildings and a 1980s eastern extension, which housed a swimming pool, and its replacement with a recent smaller new extension that houses a hospitality or entertainment suite.³
9. The starting point for determining any application or appeal is the development plan, which in this case is The Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003) (LP). The first key objective of Green Belt policy in the LP is to safeguard the open and rural character of the Borough's countryside and to protect it from inappropriate development.⁴
10. LP Policy GB1 states, broadly in accordance with extant policy in the National Planning Policy Framework (NPPF), the types of development that will be allowed in Green Belts. These include certain types of residential development set out in Policies GB3-GB5, which includes, in GB4, the extension of an existing dwelling where it would not cause a disproportionate addition over and above the size of the original dwelling.

¹ 16/02180

² S16(2), 66(1) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

³ 14/03129/FULL & 14/03131/LBC, revised by 15/02288/LBC and 15/02289/FULL

⁴ Paragraph 2.1.8(i) of LP

11. But the proposal is not an extension of the existing dwelling. Rather, it is an extension to an existing outbuilding, the nineteenth century stables building. Policy GB4 is silent on extensions to outbuildings. Paragraph 89 of the National Planning Policy Framework states that the construction of new buildings is inappropriate in the Green Belt with certain exceptions, one of which is 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.
12. In this case the existing original stables building the western return of which is used as garaging is about 200m² and the new swimming pool building is, even by the appellant's assessment, 311m². That would clearly be a disproportionate extension to the size of the original building. It would therefore be inappropriate development in the Green Belt.
13. Turning to the question of openness, LP Policy GB2 states that permission will not be granted for new development or the redevelopment or replacement of existing buildings if it would have a greater impact on the openness of the Green Belt or the purposes of including land within it than an existing development on the site. This Policy complies with paragraph 88 of the NPPF, which states that substantial weight is given to any harm to the Green Belt.
14. I have concluded above that the new building would be a disproportionate addition to the existing stable building. This would be the case in terms of footprint, area and volume. Although the new building would be proportionate to the overall size of the main house it would still be of a substantial size and would therefore impact on the openness of this part of the Green Belt. It would also be very visually apparent from the house and its external terraces and rear garden areas.
15. However, it would be situated close to the house and partly shielded from adjoining land by the stables building itself and by new planting in the vicinity of the house. The house/estate grounds are flat and spacious and the building's attachment to the existing stable building, its complementary design and height to the stable block and its siting so close to the rear of the house would mean that its impact on openness would be at worst moderate and at best limited. Nonetheless, and in accordance with Policy GB2 and the NPPF, I give substantial weight to such harm.
16. The appellant raises a number of other considerations that he argues outweighs the harm to the Green Belt by reason of inappropriateness and loss of openness. First, the remaining total floor area is more than offset by other buildings that have been removed. I give no credence to the appellant's point that the total floor area including the proposed new building would be considerably smaller than the floor area of buildings on the site between 1860 and 1960 since it is irrelevant to current comparisons of floor space.
17. But he points out that since acquiring the site he has removed 739m² of floor space including the old orangery to the Victorian villa part of the dwelling, the 1980s swimming pool block and numerous outbuildings within the grounds. The Council discount the removal of such floor space because it does not exist anymore, but it was always the appellant's intention as part of his overall plans to rebuild a swimming pool to replace the one demolished. The fact that he is attempting to do so now rather than in conjunction with his very recent refurbishment works such as the new bay window to the Victorian villa and the

newly completed entertainment suite extension should not in my opinion be held against him.

18. The appellant has demonstrated that the new swimming pool building, when added to the above works he has already completed, would leave a residue of 229m² when subtracted from the 739m² of floor space that he has removed since his ownership. The Council only challenges this figure to the extent that it disagrees with the size of the new building; it does not challenge the floor space figure that has been removed. Even if I accept the Council's maximum figure for the size of the new building as 361m² (instead of the appellant's 311m²), that would still leave a floor space residue of 179m².
19. Secondly, the new building would link into the existing stable building situated close to the house as opposed to several of the now removed outbuildings which were dotted round the estate and had more of a visual impact on openness. I agree that the proposed building would be situated close to the house and the appellant's overall plan to group the buildings in one place in this manner is beneficial in overall terms of openness. The low complementary height of the building compared to the stable building to which it would attach and its design and siting would also minimise its visual impact on openness as set out above.
20. Thirdly, the appellant claims that the new building would enhance the listed building. Whilst the Council granted listed building consent on the basis that the works would preserve the character of the listed building I agree with it that the proposed new building would not enhance the listed house. Nonetheless, its design and location are perfectly satisfactory as demonstrated by the listed building consent and it would complement the listed building including the stables building and the recent entertainment suite extension to the house.
21. In summary, the new building would be well designed and be sited close to the existing house and stables building and have less visual impact on the openness of the Green Belt than the previous buildings dotted round the estate. The proposed building would clearly be subordinate to the size of the main house and extensive estate grounds and it would read visually in the local flat landscape as part of a group of buildings. Given its location to the rear of the house and the soft landscaped screening around it the swimming pool building would not be noticed other than by users of the property itself.
22. For these reasons I conclude that the fact that the new floor space built by the appellant in the last three years and that of the new building combined would be less than the floor space he has removed holds significant weight.
23. In my view these other considerations clearly outweigh the harm to the Green Belt by reason of inappropriateness and a moderate loss of openness. Looking at the case as a whole, I conclude that these other considerations amount to the existence of very special circumstances which justify the development. The proposed development would accordingly comply with paragraph 88 of the NPPF.
24. The Council has suggested three conditions. In addition to the standard commencement condition I agree a condition listing the approved drawings is necessary in order to provide certainty. A condition specifying that the materials shown on the approved drawings shall be implemented in the

development is required to ensure that it respects and preserves the listed building and character and appearance of the Conservation Area.

25. For the reasons given above I conclude that the appeal should be allowed, subject to these three conditions.

Nick Fagan

INSPECTOR