
Appeal Decision

Site visit made on 23 January 2018

by N A Holdsworth MCD MRTPI

an Inspector appointed by the Secretary of State.

Decision date: 27 February 2018

Appeal Ref: APP/N0410/D/17/3180822

3 Harcourt Road, Dorney Reach, Maidenhead, Berkshire, SL6 0DT

- 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 J Dodd against the decision of South Bucks District Council.
 - The application Ref 17/00930/FUL, dated 30 April 2017, was refused by notice dated 20 July 2017
 - The development proposed is Single Storey Rear Extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal is proceeding in the name of Mr J Dodd, who was the applicant for the original planning application, with Mr Eric Bolton acting as the agent.

Main Issue

3. The main issues are:
 - i) Whether the proposal is inappropriate development within the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - ii) The effect on the openness of the Green Belt;
 - iii) If the development is inappropriate, 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 the development.

Reasons

Whether inappropriate development

4. The site is located within the Green Belt. The Framework makes clear that substantial weight must be given to any harm to the Green Belt, with the fundamental aim of planning policy in relation to such areas being to prevent urban sprawl by keeping land permanently open. Saved policies GB1 and GB10 of the South Bucks District Local Plan (1999) ("Local Plan") share similar aims insofar as they relate to the objective of preserving the openness of the Green Belt; however they predate the publication of the Framework and are not

entirely consistent with it. As such, the weight that I will attribute to these development plan policies is limited to the extent that they are consistent with the Framework.

5. Paragraph 89 of the Framework makes clear that the construction of new buildings within the Green Belt is inappropriate, with certain exceptions. One such exception 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. In this regard, policies GB1 and GB10 of the Local Plan are consistent with the Framework, in that they require that proposed extensions, together with existing extensions to dwellings to be of a small scale in relation to the size of the original dwelling. The supporting text to policy GB10 of the Local Plan goes on to say that extensions or alterations which would result in the original dwelling having increased its floorspace by more than half will not be regarded as small scale. The officer report indicates that the site falls within a Green Belt settlement and as such an increase of up to 60% may be allowed, although this does not appear to be directly reflected in the wording of the Local Plan policies provided in connection with this appeal.
6. In this case the Council maintain that the original dwelling amounted to 146.67 sqm. The Council assert that previous cumulative extensions have increased the gross floor area by 98.92 sqm, and the proposals would amount to a further 29.45 sqm of additional floorspace. As such, together with the previous extensions, the extended building would represent an increase of around 86% to the floor area of the original building. The appellant has not disputed these calculations.
7. An 86% increase in floor area over the size of the original dwelling would clearly exceed the guidelines set in the supporting text to policy GB10 of the Local Plan. It would represent a disproportionate addition over and above the size of the original dwelling. In consequence, the proposal would amount to inappropriate development in the Green Belt. I attach substantial weight to the harm that would arise to the Green Belt, as a result.

Effect on openness.

8. I observed that, at present, the site of the proposed extension forms part of the curtilage of the garden of the host building and appears as open, undeveloped space. As such, the construction of an extension on this area would amount to an encroachment of built form which would consequently lead to a loss of openness. I consider that this would result in a moderate level of harm to the openness of the Green Belt.

Other considerations

9. The extension would be located to the rear of this residential building and would retain a substantial residual garden area. The extension would be located away from the boundaries of the site, with the materials complimenting those used on the host property. The appellant argues that the extension would appear sympathetic to the host dwelling, and I do not disagree with this. However, such considerations do not outweigh the harm that arises through inappropriate development in the Green Belt.
10. The Council's second reason for refusal expresses concern that, were the proposal to be permitted then other proposals within the Green Belt would be

likely to come forward that it would find increasingly difficult to resist. However, it is an established principle that each planning application is considered on its own merits. A clear policy position on development in the Green Belt is set out in development plan policies and the Framework. These policies would apply to any development that comes forward in the District, where the site is located in the Green Belt. Consequently, the fear of the development setting a precedent has no bearing on the outcome of this appeal.

Conclusion

11. In conclusion, the proposed development conflicts with saved policies GB1 and GB10 of the Local Plan and the relevant parts of the Framework which require that extensions to existing dwellings within the Green Belt are of a small scale in relation to the size of the original dwelling. The proposal therefore amounts to inappropriate development in the Green Belt, and the Framework indicates that substantial weight should be given to this harm. The development would also result in a loss of openness to the Green Belt. There are no other considerations that would clearly outweigh the harm by reason of inappropriateness, and the other harm identified, and thus constitute the very special circumstances necessary to justify the development proposed. For the reasons given above and having regard to all other matters raised, I conclude that the appeal shall be dismissed.

Neil Holdsworth

INSPECTOR