



Appeal Decision

Site visit made on 9 July 2019 by John Gunn DipTP Dip DBE MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th July 2019

Appeal Ref: APP/T0355/D/19/3226482

Shepherds Cottage, Jubilee Road, Littlewick Green, Maidenhead, SL6 3QU

- 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 Ms Anoushka Healy against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 18/03594, dated 11 December 2018, was refused by notice dated 11 February 2019.
 - The development proposed is outbuilding, existing garage to be refurbished and extended to join the household. Rooflights to be introduced instead of side windows and door access to be created from the house to the garage. The structural material (light timber structure), cladding, roof tiles and stile to match existing.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Council's decision notice amends the description of the proposal to read 'Single storey front/side extension to the garage, x 4 rooflight to the garage, single storey side infill extension to connect the garage to the dwelling and alterations to fenestration'. The appellant has used the same description used by the Council, on her appeal form, and therefore it is assumed that both parties are content with the amended description. Consequently, the appeal has been determined based on the revised description.
4. The Council's decision notice makes reference to the Borough Local Plan 2013 – 2033 Submission Version (LPSV). Although this plan has been submitted for examination, it does not currently form part of the development plan. Accordingly, the policies contained within it do not carry the same weight as those within the adopted Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating Alterations Adopted June 2003) (LP).

Main Issues

- 5 The appeal site is located within the Metropolitan Green Belt. Accordingly, the main issues in this case are:
- whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect on the character and appearance of the host property, a non-designated heritage asset and the locality, including the Littlewick Green Conservation Area; and
 - if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Whether Inappropriate Development

6. Paragraph 145 of the Framework establishes that new buildings in the Green Belt are inappropriate. Exceptions to this include 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 GB1 of the LP is consistent with the Framework in this regard, as is emerging policy SP5 of the LPSV.
7. The appeal site comprises a detached cottage which has been extended to the side and rear following the granting of planning permission in 2009. An existing garage lies to the south of the dwelling, separated from the host property by a narrow path which provides access to the rear of the property. The appellant has calculated that the existing garage measures 3.1 metres (m) wide by 7.3m deep and has a ridge height of 3.62m. It is separated from the host property by 1.1m and set in from the side boundary by 0.4m. The proposal seeks to increase the size of the garage in terms of its height (to 3.72m), width (to 4.7m) and depth (to 8.32m)¹. The appellant has calculated that the area of the proposal would be 16.4 square metres. It is submitted that this would result in a 41% increase over the floor space of the original dwelling.
8. I acknowledge that there is no definition of 'disproportionate' in either the Framework or the development plan. However, having regard to the original dwelling which has already been extended to the side and rear, which is not disputed, I find that the further extension of it would result in the original dwelling being engulfed by extensions. Although the proposal in itself would be of a modest size, taken with the earlier extensions it would amount to disproportionate addition over and above the size of the original building.
9. For these reasons, the proposed development represents inappropriate development in the Green Belt. Inappropriate development is, by definition,

¹ Figures taken from appellant's statement

harmful to the Green Belt and should not be approved except in very special circumstances.

10. The appellant has drawn my attention to other developments within the locality which she submits has led to significant increases over the size of original properties. Reference has also been made to swimming pool and tennis court additions within the curtilage of dwellings. I have not been provided with detailed drawings of these developments or the individual circumstances of these cases. Accordingly, I can therefore only attach very limited weight to these matters in my consideration of this appeal. Each planning application and appeal is determined on their merits.

Openness

11. Openness is an essential characteristic of the Green Belt. The appeal proposal would result in a small increase in the height, width and length of the garage. In isolation this increase in size would be small but nevertheless even taking this into account, there would still be a loss of openness of the Green Belt and harm to the Green Belt would result.

Character and Appearance

12. The appeal property sits back from the road at the entrance to the Littlewick Green Conservation Area (CA) and, with the surrounding verdant landscape, forms an attractive gateway to the village. The Littlewick Green Conservation Area Appraisal (CAA) describes the CA as being a small rural settlement whose layout is derived from the "V" shaped village green in which the majority of houses front directly onto. Shepherds Cottage is identified as being a significant non-listed building, having a Gothic style.
13. Both the CA and the non-designated heritage asset (the appeal property) fall within the definition of 'heritage asset' within the Glossary to the Framework. Paragraph 184 of the Framework states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
14. There is currently a narrow alleyway between the existing garage and the host dwelling which provides an important physical and visual separation between the two buildings. The proposal would result in the loss of this important gap, which would result in a continuous built frontage which would be detrimental to the character and appearance of the host property. The provision of a roof containing rooflights, at a much lower pitch than the host property, and the a larger garage door than currently exists, would introduce design features that would be out of scale, and keeping, with the host dwelling. Harm to the character and appearance of the host property would occur as a result of the new extension. The proposal would not sustain and enhance the significance of this heritage asset.
15. Given my findings above it follows that the contribution the host property makes to the character and appearance of the area would be diminished also. Harm to the character and appearance of the area would occur as a result.

16. In light of the foregoing, the proposal would neither conserve or enhance the character or appearance of the CA. The scheme would not make a positive contribution to local character and distinctiveness. Harm to the significance of this designated asset would occur.
17. Whilst the harm that would be caused to the CA would be less than substantial, the Framework makes it clear that this harm should be weighed against the public benefits of the proposal.
18. I acknowledge that the proposal would meet the needs of the appellant in providing more spacious accommodation for a large vehicle and workshop. However, such benefits would be limited given the nature of the proposal and do not amount to public benefits which outweigh the great weight that I am required to give to the harm that would be caused to the significance of this designated heritage asset.
19. In light of the foregoing, I conclude that the proposal would not respect the character and appearance of the host property or the area, nor would it preserve or enhance the character or appearance of the CA and its significance as a heritage asset. Accordingly, the proposal conflicts with Policies DG1, H14 and Appendix 12 of the LP. There would also be conflict with emerging Policies SP2 and SP3 of the LPSV which are broadly consistent with the Framework. These policies collectively seek to secure high quality design which respects and enhances the local and historic character of the environment.

Other Considerations

20. The Framework makes it clear at paragraph 144, that substantial weight is given to any harm to the Green Belt. It establishes 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.
21. I have noted the appellants' reasons for requiring the extension to the garage. Whilst personal circumstances are a material consideration, they carry limited weight. The development would continue to exist long after the personal circumstances have ceased to be relevant. I acknowledge that the development would not have an adverse impact on the living conditions of neighbouring residents, nor would it have any impact on the highway network. These matters carry neutral weight in my consideration of the proposal.

Conclusion

22. The new extension would be inappropriate development in the Green Belt. Further harm would be caused as a result of loss of openness. Harm would also be caused because the proposal would not sustain and enhance the significance of the appeal property and the locality as heritage assets.
23. At most I give limited weight to the material considerations cited in support of the proposal and conclude that, taken together, they do not outweigh the harm the proposed development would cause to the Green Belt and the other harm that I have identified. Consequently, the very special circumstances necessary

to justify the proposal do not exist. The proposal conflicts with paragraph 145 of the Framework, Policies GB1 and GB2(A) of the LP and emerging Policies SP1 and SP5 of the LPSV which collectively seek to protect the Green Belt from inappropriate development and safeguarding the open and rural character of the Borough's countryside.

Recommendation

24. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

25. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

RC Kirby

INSPECTOR