
Appeal Decision

Site visit made on 7 February 2019

by Martin S. Lee, MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th August 2019

Appeal Ref: APP/X0360/D/18/3217879

Flat 3, Hare Hatch Court, Bath Road, Hare Hatch, Wokingham, RG10 9SP

- 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 Michael Lincoln against the decision of Wokingham Borough Council.
 - The application Ref 182068, dated 22 July 2018, was refused by notice dated 12 November 2018.
 - The development proposed is the erection of part single and part two storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) whether the proposal would constitute inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (Framework) and the development plan policy;
 - b) the effect on the openness of the Green Belt,
 - c) the effect on the character and appearance of the building, and;
 - c) if it is inappropriate development, 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

Inappropriate Development and Openness

3. Paragraph 145 of the Framework states that the construction of new buildings is inappropriate in the Green Belt unless, amongst other exceptions, it involves the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. It is clear from volume comparison with the existing flat that the proposal represents a substantial extension to its massing and bulk, particularly in addition to previous extensions. This also constitutes a departure from not

only the form of the larger building (comprising four separate dwellings) but also that of the host dwelling. The pattern of additions made to each of the four dwellings since their creation have been relatively diminutive by comparison.

4. The difference in massing and bulk is not, of itself, a cause for rejection under this refusal reason as TB01 of Wokingham Borough Adopted Managing Development Delivery Local Plan Document (MDD Local Plan) only requires that extensions to dwellinghouses within the Green Belt "shall be limited in scale". This supporting text states the definition to be "a cumulative increase of generally no more than a 35% increase in volume over and above the original dwelling". Assessing proportionality with regard to the policy guidance which the Framework and the development plan set out is principally a test based on the apparent visual impact of the size proposed. Regardless of whether the proposal falls within the 35% limit, when compared to what would have been the size of the original building, the proposal would constitute a disproportionate addition. Hence, it would not comply with this exception.
5. There would, therefore, be a greater impact on the openness of the Green Belt by simple merit of the quantum of development proposed compared to that which exists at present. Hence, the proposal would not comply with the requirement of this exception. Accordingly, I conclude that the proposal would constitute inappropriate development within the Green Belt, and so it would be contrary to paragraph 145 of the NPPF, TB01 of the MDD Local Plan and CP12 of Wokingham Borough Local Development Framework, Adopted Core Strategy Development Plan Document, which seek to prevent inappropriate development within the Green Belt. The proposal would also be contrary to CP1 and CP3 of Wokingham Borough Local Development Framework, Adopted Core Strategy Development Plan Document, which seek to secure sustainable development with high quality design that is of appropriate scale and mass especially for existing dwellings.

Character and Appearance

6. The overall fenestration treatment of the proposal is cluttered and uncharacteristic of the host building, particularly at first floor. The elements referred to specifically in the reasons for refusal relate only to the proposed use of flat roof form and use of a Venetian window design for the entrance and first floor openings, away from the principal elevations of the original house. The front elevation of the proposal contains Venetian style windows of completely different proportions and levels to those evident in the same elevation of the host building. The front elevation fenestration, external detail and projection design and form are far too complicated in comparison to the host building, to a degree which departs and detracts strongly from the character and quality of the existing building. Whilst a flat roof would not necessarily be incongruous in itself, I do consider the extent of flat roof proposed to be excessive and out of character with the host building.
7. I have had regard to whether the identified harm to the character of the host building could be effectively mitigated by conditions addressing matters of detailed finishes and treatments, but consider the issues set out above are too substantial to be capable of being effectively addressed in such a manner.
8. The fundamental issue with the proposal is that its form and character, in relation to the elements cited in the reason for refusal, do not follow that

evident in the host building, providing instead a comparatively odd shaped, multi-component, over fenestrated and peculiarly detailed addition that does not derive its design from any original or added component to that building. It would be contrary to Policies CP1 and CP3 of Wokingham Borough Local Development Framework, Adopted Core Strategy Development Plan Document which set out the general principles of sustainable development and seek to secure high quality design, plus appropriate scale, mass, character and sense of place, especially for existing dwellings; TB26 of Wokingham Borough Adopted Managing Development Delivery Local Plan document (MDD Local Plan) and recommendations contained in the Wokingham Borough Council, Borough Design Guide Supplementary Planning Document which seek to ensure proposals protect and enhance character, contribute positively to setting and respond positively to the original building.

Green Belt – very special circumstances

9. 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 (e.g. environmental benefits or local housing need). Notwithstanding the Appellant's references to existing garage building to be demolished does not represent a sufficient justification to provide outweighing considerations. Nor are there any other benefits which I can identify the proposal would provide that might constitute such as whilst I note the appellant has put forward some points on living conditions and highways, I consider they carry neutral weight.

Conclusion

10. The proposal would be inappropriate development harmful to openness in the Green Belt. Paragraph 144 of the Framework establishes that substantial weight should be given to any harm to the Green Belt. It would also cause harm to the character and appearance of the building. Other considerations which arise do not clearly outweigh the totality of the harm. Consequently, very special circumstances do not exist. Accordingly, I conclude that the appeal should be dismissed.

Martin S. Lee

INSPECTOR