



Appeal Decision

Site visit made on 9 October 2019

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2019

Appeal Ref: APP/T0355/W/19/3233483

White Lodge, Bisham Road, Bisham, Maidenhead SL7 1RP

- 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 Roderick Ting against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 18/03459, dated 27 November 2018, was refused by notice dated 4 February 2019.
 - The development proposed was originally described as: 'erection of a single storey front extension on the ground floor and part first and second floor front and rear extension with a new lift position.'
-

Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is located within the Green Belt. Consequently, the main issues are:
 - i) whether the proposal would be inappropriate development within the Green Belt having regard to the National Planning Policy Framework (the Framework) and development plan policy;
 - ii) the effect of the proposal on the openness of the Green Belt;
 - iii) whether the proposal would preserve or enhance the character or appearance of the Bisham Village Conservation Area; and
 - iv) if the proposal would be inappropriate development, 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 necessary to justify it.

Reasons

Inappropriate development

3. The fundamental aim of Green Belt policy in the Framework is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
4. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very

special circumstances. The construction of new buildings should be regarded as inappropriate development in the Green Belt. However, an identified exception to this 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.

5. The appeal site is used as a care home and the building has clearly been previously enlarged. Indeed, the evidence before me suggests that the existing building is significantly larger than the original building, a matter that has not been disputed by the appellant. Due to such a large increase in the size of the building, it is quite apparent that the extensions have already resulted in disproportionate additions over and above the size of the original building. I also note that a previous Inspector arrived at the same conclusion in the 2016 appeal¹.
6. The alterations to the front elevation would alter the roof form of the building as well as introduce a new porch at ground floor level. Both of these elements would therefore increase the bulk and mass of the building. To the rear, the proposal would increase the depth of the building to the same point as the existing ground floor extension. This would also have the effect of increasing the bulk of the building. Therefore, whilst the proposed additions would primarily be at elevated levels and would not significantly increase the overall footprint of the building, the bulk and mass of the building would increase. Consequently, the proposals would add to and increase the disproportionate nature of the extensions.
7. The reasons for the proposed development are considered in a later section of this decision. However, for the purposes of the Framework, the proposed extensions would add to and compound the disproportionate size of the existing extensions. Consequently, I conclude that the proposal would represent inappropriate development in the Green Belt. It would therefore fail to accord with the Green Belt protection aims of the Framework, as well as Saved Policy GB1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations Adopted in June 2003) (LP) and Emerging Policy SP5 of the Borough Local Plan 2013 – 2033 (Submission version) (ELP). Taken together, these seek to protect the Green Belt from inappropriate development.

Openness

8. As identified above, other than the proposed glazed porch, the additions are primarily located at elevated levels. Consequently, whilst the central areas of the upper floor plans would increase, the overall footprint of the building would remain comparable to its existing form. However, the building would become larger as a result of the proposals and as a consequence, this would have a minor adverse effect on openness. I therefore conclude that the proposal would result in a very limited level of harm to the openness of the Green Belt.

Effect on CA

9. Section 72(1) of the Planning (Conservation Areas and Listed Buildings) Act 1990 requires development to preserve or enhance the character or appearance of conservation areas.

¹ APP/T0355/W/16/3152866

10. The appeal site is located in the Bisham Village Conservation Area (CA). The existing building is a detached villa, which based on the evidence before me, was constructed in approximately 1900. The building is one of three similar buildings on the eastern side of Bisham Road, all of which have interesting roof forms which include combinations of hipped roofs and partial and full gable ends which together, provide a variation that creates a distinctive feature of the buildings. Although the building has been heavily extended, the roof form remains prominent and due to its relationship with the nearby similar properties, the building makes a positive contribution to the character and appearance of the CA.
11. The alterations to the front elevation would increase the ridge level of the central section of the roof. This would result in the loss of a side facing partial gable end and the creation of a more consistent roof form, departing from the interesting variation of the existing roof. To the rear, the proposal would increase the depth of the building at first and second floor to the same point as the existing ground floor extension. Whilst the existing half hipped roof form would be repeated, the proposal would significantly increase the overall bulk of the building when viewed from the rear, with the consequence of significantly diluting the important varied roof form.
12. For the reasons identified above therefore, the proposal would have a harmful effect on the appearance of the existing building. I therefore conclude that it would also harm the character and appearance of the CA. The level of harm would be less than substantial and consequently, paragraph 196 of the Framework requires this to be weighed against the public benefits of the proposal.
13. In terms of benefits, the ground floor extension would improve the accessibility of the care home for wheelchairs, reclining chairs and stretchers. It would also improve the insulation of the building, reducing drafts. Based on the evidence before me, whilst the proposal would not seek to increase the maximum occupancy of the care home, the number of bedrooms at the facility would increase from 21 to 22. The proposal would also provide a larger sitting room.
14. In addition, the proposal would enable the existing lift provision to be rationalised with the creation of one lift over the three floors rather than the two lifts that currently exist. The appellant states that this would reduce confusion for residents and generally make for a more efficient use of space. Based on the evidence before me, I have no reason to disagree. Finally, the proposal would enable the floor to ceiling heights at second floor level to be increased to improve the quality of accommodation provided.
15. In light of the above, it is apparent that the proposal would provide distinct benefits to the care home. However, the proposal would not increase the capacity of the home. Moreover, based on the evidence before me, I have no reason to conclude that the quality of the accommodation is deficient to the extent that the level of care provided is diminished. Consequently, the evidence does not provide a compelling case that the extensions and alterations are fundamental to the ongoing success of the care home. Therefore, whilst the nature of the use and the social benefits that it provides weigh in favour of the proposal, I only afford this a moderate level of weight in my assessment of the appeal.

16. Paragraph 193 of the Framework states that, irrespective of the level of harm, great weight should be given to the conservation of designated heritage assets, which include conservation areas. I have concluded that the proposal would result in less than substantial harm to the CA and for the reasons identified above, this would outweigh the moderate benefits that the development would create.
17. Consequently, my overall conclusion on this matter is that the proposal would harm the character and appearance of the CA. It would therefore fail to accord with Saved Policy CA2 of the LP and Emerging Policy HE1 of the ELP both of which require development to preserve or enhance the historic environment, including conservation areas.

Other considerations

18. The principal benefits that would be created by the proposal have already been set out above. In addition, no extra parking would be created by the proposal and the development would not be harmful to flood risk. The appeal site is also accessible and the proposal would therefore improve the functionality of a care home with good connections to Marlow.
19. For the reasons identified above, I attach a moderate level of weight to these matters.

Conclusion

20. I have found that the proposal would bring clear benefits to the care home. However, I have also found that the proposal would be inappropriate development within the Green Belt, and that it would result in a limited degree of harm to the openness of the Green Belt. Moreover, the proposal would harm the character and appearance of the CA.
21. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and that substantial weight should be given to any harm. Moreover, it also states that 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.
22. For the reasons identified above, the harm to the Green Belt would outweigh the other considerations. Consequently, the very special circumstances necessary to justify the proposal do not exist and therefore the proposal fails to accord with the Green Belt protection aims of the Framework.
23. I therefore conclude that the appeal should be dismissed.

Martin Chandler

INSPECTOR