



Appeal Decision

Site visit made on 22 October 2019

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 11 November 2019

Appeal Ref: APP/X0360/W/19/3231515

Upper Culham Farm, Upper Culham Lane, Remenham Hill RG10 8NR

- 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 & Mrs RJ & L Edwards against the decision of Wokingham Borough Council.
 - The application Ref 183042, dated 5 November 2018, was refused by notice dated 15 February 2019.
 - The development proposed is the demolition of existing dwellinghouse and existing outbuildings and erection of a replacement 'arts and crafts' style two storey dwellinghouse with attached swimming pool. Completion of part-built garage / store as originally approved by application CLP/2007/3058.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (a) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
 - (b) The effect of the proposal on the openness of the Green Belt.
 - (c) The effect of the proposal on the character and appearance of the area.
 - (d) Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, whether this would amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development in the Green Belt

3. Paragraph 145 of the National Planning Policy Framework (the Framework) establishes that new buildings within a Green Belt are inappropriate unless, amongst other things, they constitute the extension of a building, provided the new building is in the same use and not materially larger than the one it replaces. Policy CP12 of the Wokingham Borough Core Strategy Development Plan Document adopted 2010 (CS) and Policy TB01 of the Wokingham Borough Adopted Managing Development Delivery Local Plan Document adopted 2014

(LP) state that inappropriate development will not be permitted in the Green Belt and that development as set out in the Framework will only be permitted where it maintains the openness of and does not conflict with the purposes of including land in the Green Belt. The Framework does not expand on what is meant by a materially larger replacement building. This is a matter of judgement, comparing the proposal with the size of the dwelling as it currently appears on site. It is therefore not appropriate to take into account the potential fallback position of an unimplemented planning permission or development that could be achieved through the exercise of permitted development rights.

4. On this basis, by making a straightforward comparison it is clear that the proposed replacement dwelling would be materially larger than the size of the dwelling that currently exists at the site. This is a matter that is not disputed by the appellants.
5. The Council's third refusal reason relates to the material change of use of land, as a result of an increased red line site area when compared with the site area set out on the CLOPUD scheme. I note that this matter was not raised by the Council in relation to the previously appealed application, where the same increased site area was set out on the submitted drawings, however this does not mean that it should now be a matter that is overlooked as no extant permissions for the site appear to show this larger site area. The appellants suggest that this matter could be addressed by managing the domestic area of the curtilage through a landscaping scheme, however I am not satisfied that this would be enforceable.
6. With reference to paragraph 146 of the Framework, the material change of use of land would not be inappropriate within a Green Belt as long as it preserves openness and does not conflict with the purposes of including land within it. Using a larger area as residential curtilage could harm openness owing to an increased area for domestic paraphernalia. In terms of the purposes of including land within the Green Belt, with reference to paragraph 134 of the Framework, the proposed increase in site area would constitute encroachment into the countryside to the east and southeast. The proposal would therefore conflict with the purposes of including land within the Green Belt.
7. In summary the proposal would constitute inappropriate development within the Green Belt, contrary to Policy CS12 of the CS, Policy TB01 of the LP and the Framework, which together seek to prevent inappropriate development within the Green Belt.

Openness of the Green Belt

8. A fundamental aim of Green Belt policy is to keep land permanently open as defined in the Framework. The essential characteristics of Green Belts are their openness and their permanence. The openness of a Green Belt has a spatial aspect as well as a visual aspect. The proposal includes the complete demolition of the existing house and wooden outbuilding. As already established, the proposed replacement dwelling would be materially larger than the existing dwelling. It would therefore have an adverse impact on the openness of the Green Belt in spatial terms.

9. In terms of the visual aspect of openness there are clear views into the site from the road in the area of the site entrance, where the broader front elevation of the proposed building would be apparent.
10. The increased scale of the replacement building would be apparent from the converted barns to the south, and to a lesser extent in more distant views from the footpath to the east and road to the northeast.
11. The proposal would therefore have an adverse impact on the openness of the Green Belt.

Character and appearance

12. The appeal site is within a small hamlet. The area is rural, with far reaching views across the plateau landscape, particularly to the east of the site. The Wokingham District Landscape Character Assessment 2004 designates the area as the Remenham Arable Chalk Plateau. Key characteristics of the area are its largely unsettled character, with dispersed individual farmsteads and houses linked by narrow lanes. The general absence of development is recognised as one of the area's key characteristics.
13. The Council has recognised the value of the area of Upper Culham by designating it as an Area of Special Character (ASC). Supporting text to Policy TB26 of the LP states that such areas are made up of a group of buildings where there is a consistent period or character that reflects the areas past. The existing building is a mature late Victorian farmhouse, close to a range of former agricultural buildings to the south. Although it has some decorative features typical of its period it has a relatively simple appearance, that reflects its agricultural heritage. Its loss would harm the character of the ASC.
14. The existing building would be replaced with a building that is noticeably more formal, with a much broader front elevation emphasised by double windows to each bay and a wide archway surrounding the front door with a prominent oriel window above. Although I accept great effort has been put into the detail of the proposed dwelling, which has received support from the Council's Conservation Architect, it would have the appearance of a small country house, which would fail to relate to the agricultural setting of the current building alongside former agricultural buildings.
15. The replacement building would have a reduced scale to that which was considered by a previous Inspector¹. The detached swimming pool is no longer proposed, which would reduce the north south spread across the site. However, the massing of the garage wing that would previously have attached to the replacement dwelling at its southwest corner, would be replaced by the completion of the similarly sized partially constructed garage to the southwest of the existing dwelling, which was approved by the Council² and has been implemented. On this basis, I find that the increased scale of the main two storey part of the proposed building when compared with the existing building, its formal appearance coupled with the extensive single storey part to the south side would result in a building with a significant overall mass that would not be befitting of the area. This would have an urbanising effect, which would cause harm to the rural character of the area, and would fail to respond positively to the character of the Upper Culham ASC.

¹ APP/X0360/W/18/319737

² CLP/2007/3058

16. In summary, the proposal would have an adverse effect on the character and appearance of the area, contrary to Policies CP1, CP3 of the CS and Policies CC03, TB21 and TB26 of the LP, which together seek to ensure that development proposals maintain or enhance the quality of the environment including the landscape, are appropriately scaled, contribute to a sense of place in the way they integrate with their surroundings and retain and enhance the traditional, historical and special character of the area.

Other Considerations

17. The site has a long and detailed planning history. In addition to the implemented permission for the garage to the southwest of the existing dwelling, of most relevance to this appeal is the approved Certificate of Lawful Use or Development³ (CLOPUD) for the erection of two single storey side extensions, double storey rear extensions and detached swimming pool building.
18. Measurements provided by the appellant demonstrate that the CLOPUD scheme in addition to the implemented garage would result in a volume of 2915.6 cubic metres and footprint of 572.7 square metres. The appeal proposal, including the completion of the implemented garage, would be less with a volume of 2631 cubic metres and a footprint of 496 square metres. However the difference between the two is fairly modest, and is significantly less than the difference considered by the Inspector who determined the previous appeal, as he took into account the dimensions of a further two storey side extension as part of the fallback scheme. This permission was granted in 2015 and has since lapsed. The appellants accept that this no longer forms part of their fallback position.
19. The appellants suggest that working drawings are being prepared for the CLOPUD scheme for the purposes of satisfying the building regulations, to ensure that in the event that the appeal is dismissed the appellants would be in a position to proceed with this fallback scheme without delay. Furthermore, the appellants confirm that they have submitted a commencement of development form to the Council, which they say has been acknowledged. I am therefore satisfied that there is a greater than theoretical possibility that the fallback scheme might take place if the appeal is dismissed.
20. Plans of the CLOPUD scheme are before me. The two side extensions would have a low flat roof form. As a result the existing two storey mass of the existing building would be largely unchanged when viewed from the road. The existing rearward two storey addition would be extended further, but this would have little impact on views from the east, and would similarly allow the original form and character of the building to remain.
21. The fallback scheme would have a marginally greater impact on the openness of the Green Belt, however I agree with the findings of the previous Inspector in that these extensions would represent a more natural evolution of the existing building, which would better respect the character and appearance of the Upper Culham ASC. The appearance and mass of the appeal proposal would be more harmful to the character and appearance of the area. When compared, and taking into account the various impacts of the proposals on the

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openness of the Green Belt and the character and appearance of the area I find that the fallback scheme would cause less harm than the appeal proposal.

22. The appellants also suggest that the rather dilapidated outbuilding to the southeast of the existing building could be repaired or replaced by exercising permitted development rights. Although I do not doubt that this is possible no indication has been given as to why the appellants would need such a large outbuilding or what it would be used for. Furthermore, I consider it unlikely that it would be desirable to retain a large outbuilding in this position when it would restrict pleasant far reaching views of the adjacent countryside to the east, such as would be achieved from the wide Kitchen window of the CLOPUD scheme. I therefore give this matter little weight.
23. I also give little weight to the suggestion that the replacement building would be more sustainable in its use of energy than the existing building, as the retention and re-use of existing buildings is inherently sustainable and avoids the environmental impacts arising from demolition, the manufacture of materials and the construction process.
24. The appellants advise that a landscaping scheme would be developed, that no trees would be lost and that the position of the proposed building would expand views out towards the countryside. No streetscene perspectives have been submitted to demonstrate this. Furthermore I note that although the northern end of the building would be slightly further south than the existing building its two storey bulk would extend much further to the south than the existing building, thereby restricting the view in this direction from the adjacent road.
25. In its third refusal reason the Council refers to Policy CP9 of the CS, which relates to the location of new development with regard to access to facilities and services. As the appeal proposal does not propose to increase the number of dwellings at the site I am of the view that this Policy is not relevant.

Conclusion

26. The proposal would be inappropriate development in the Green Belt. The Framework establishes that substantial weight should be given to any harm to the Green Belt, and development should not be approved except in very special circumstances. In addition, I have found that the proposal would also have an adverse impact on the openness of the Green Belt and a harmful effect on the character and appearance of the area.
27. I am satisfied that there is a greater than theoretical possibility that the fallback scheme might take place if the appeal is dismissed. However, I have found that the fallback scheme would cause less harm than the appeal proposal, and therefore carries little weight. The other considerations before me are limited and also carry little weight. Consequently, the very special circumstances necessary to justify the development do not exist.
28. For the reasons above, the appeal should be dismissed.

Andrew Tucker

INSPECTOR