



Appeal Decision

Site visit made on 19 June 2019

by Rebecca McAndrew BA Hons, PG Dip Urban Design, MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th November 2019

Appeal Ref: APP/T0355/D/19/3226877

Foxley Green Cottage, Ascot Road, Holyport, Maidenhead SL6 3LD

- 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 Mrs Alison Keenan against the decision of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 18/03418, dated 21 November 2018, was refused by notice dated 23 January 2019.
 - The development proposed is two storey front and rear extensions, extending first floor balcony, alterations and new windows.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this case are:
 - i. Whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (NPPF) (2019) and development plan policies;
 - ii. the effect of the proposal on the openness of the Green Belt;
 - iii. the effect of the proposal on the character and appearance of the dwelling and the surrounding area; and
 - iv. If the proposal would be inappropriate development, whether the harm by reason of its inappropriateness and other harm is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal is inappropriate development in the Green Belt

3. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 notes that the extension or alteration of a building need not be inappropriate provided that it does not result in disproportionate additions over and above the size of the original building.

4. The current proposals would result in the substantial extension of a dwelling which has already been extended in the past. The term 'original building' is defined in the Glossary to the revised Framework as 'A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally'. The Council states that the proposed extensions would enlarge the floorspace of the original dwelling by around 165%. I consider the proposals to be a disproportionate addition, which would represent a significant cumulative increase in the overall bulk and volume of the original property. The proposal would therefore be inappropriate development that by definition is harmful to the Green Belt. The proposal is therefore contrary to Policies GB1 and GB2(A) of the Royal Borough of Windsor and Maidenhead Local Plan (2003) (LP) (as saved), emerging Policies SP1 and SP5 of Borough Local Plan Submission Version (2017) (BLP) and NPPF Paragraphs 143-145 which seek to safeguard against inappropriate development which would be harmful to the Green Belt.

Effect on the openness of the Green Belt

5. Paragraph 133 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness is thus an essential characteristic of the Green Belt.
6. The scheme proposes a significant increase in the footprint and overall bulk of the existing dwelling. The proposed two storey extensions would significantly increase both the footprint and the mass of the building which would have a greater impact on the openness of the Green Belt than the current situation. Whilst I recognise that the site is well screened by vegetation, the openness of the Green Belt is not just a matter of visibility. I therefore consider the impact on the openness of the Green Belt would be moderate.

Effect on the character and appearance of the area

7. The proposal is to demolish an existing attractive front gable feature and replace it with a bulky front extension. The proposed front extension would include eaves which would sit significantly higher than those of the existing property and the part flat roof / part hipped roof design would also be at odds with the character and form of the front elevation of the existing house. In addition, the extension would cut off the existing front gable to Bedroom 2, creating an awkward arrangement. Cumulatively, these features would result in an incongruous addition to the front elevation of the house, which would undermine the character and appearance of the property and area.
8. The proposed rear extension would significantly increase the depth of the dwelling and would extend the full width of the property. It would include a substantially enlarged central flat roof space and the proposed roof would not be set down below that of the existing property. Taken together, these elements would result in an excessively large and bulky structure, which would not appear subservient to the main house and would subsume the rear elevation of the existing property. The overall scale and mass of the proposals would unacceptably harm the appearance of the dwelling.
9. Taking all these matters into consideration, I conclude the proposals would unacceptably harm the character and appearance of the existing dwelling and the area. The proposal therefore fails to meet the requirements of LP Policies DG1 and H14, BLP Policies SP2 and SP3 and Section 12 of the NPPF which seek

to achieve a high quality of design which improves the quality and character of the area and respects the character of the existing dwelling.

Other considerations

10. The appellant has referred to permitted development rights as a potential fall-back position. However, I have seen little to suggest that such a scheme would be similar to what is proposed or any reasonable evidence to indicate that the appellant would be likely to implement the fall-back position. As such, I offer limited weight to this matter.
11. I have considered other examples of developments cited by the appellant. However, given the limited information submitted in respect of these sites, as well as the fact that each scheme must be considered on its own merits, I have attached little weight to them in support of allowing the appeal.
12. I note the appellant's indication that they would consider amending the front extension element of the scheme. Given that I do not have any details of what would be proposed, I attach little weight to this in favour of this appeal.
13. The appellant notes that the scheme would not harm the living conditions of neighbouring occupiers and there are no highway issues associated with the proposals. However, these are matters expected to be satisfactory for development and adds no weight in favour of the appeal.
14. I note that the proposed scheme would create a modern home to meet the appellant's family needs and also the appellant's aspirations regarding achieving an energy efficient home. I also recognise that a larger dwelling would add to the choice of housing in the area. These matters attract some weight in support of the proposal.

Planning Balance

15. I have concluded that the proposal would be inappropriate development and would therefore, by definition, be harmful to the Green Belt. I have also concluded that the proposal would harm the openness of the Green Belt and the character and appearance of the area. Paragraphs 143 and 144 of the Framework together state that substantial weight should be given to any harm to the Green Belt and that development should only be approved if very special circumstances exist. These will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm arising from the proposal, is clearly outweighed by other considerations.
16. Having considered all of the matters raised in support of the development, I conclude that collectively, they do not outweigh the totality of the harm I have identified in relation to the Green Belt. Accordingly, very special circumstances do not exist and the development would be contrary to the very clear intention of the Framework to protect the Green Belt by, amongst other means, preventing development that is inappropriate within it.

Conclusion

17. I conclude that the proposal would conflict with the development plan and the NPPF and there are insufficient material considerations that would indicate that the appeal should be allowed. Therefore, for the reasons given, the appeal is dismissed.

Rebecca McAndrew

INSPECTOR