



Appeal Decision

Site visit made on 01 October 2019 by Alex O'Doherty LLB(Hons) MSc

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th January 2020

Appeal Ref: APP/X0360/D/19/3230372

**5 Hatchgate Cottages, Hatch Gate Lane, Cockpole Green, Wargrave
RG10 8NE**

- 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 C & J Copland against the decision of Wokingham Borough Council.
 - The application Ref 183289, dated 29 November 2018, was refused by notice dated 14 March 2019.
 - The development is described as proposed two storey and single storey extensions to existing house and provision of ancillary storage building and garden room building within residential curtilage.
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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 Matter

3. During the course of the planning application the proposal was amended and the number of buildings within the curtilage was reduced to one. The Council determined the application on this basis and I shall consider the appeal accordingly.

Main Issues

4. The appeal site is located within the Green Belt. Accordingly, the main issues in this appeal are:
 - whether the proposal 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;
 - if the proposal would be 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 it.

Reasons for the Recommendation

Whether Inappropriate Development

5. The Framework establishes that the construction of new buildings within the Green Belt is inappropriate. There are however a number of exceptions to this, as set out in paragraph 145 of the Framework, including 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 TB01 of the Wokingham Borough Development Plan Adopted Managing Development Delivery Local Plan (LP) is broadly consistent in this regard, establishing that the alteration or extension of a dwelling in the Green Belt shall be limited in scale. The policy's supporting text states that 'limited' means a cumulative increase of generally no more than a 35% increase in volume over and above the original dwelling.
6. Figures provided by the Council, which have not been disputed by the appellants, show that the proposal would increase the volume of the existing house by approximately 102% (not including the outbuilding proposed). This percentage increase in size over the original building is substantial. Additionally, in terms of the change in built form, the proposal would extend the property to the side and to the rear by a considerable margin. Accordingly, the extension of the house would result in disproportionate additions over and above the size of the original building.
7. I conclude that the proposal constitutes inappropriate development in the Green Belt for the purposes of the Framework. Inappropriate development is, by definition, harmful to the Green Belt. The proposal conflicts with Policy CP12 of the Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document January 2010 (CS) which states that planning permission will not be granted for inappropriate development, and LP Policy TB01.

Openness

8. The Framework denotes openness as an essential characteristic of the Green Belt. The openness of the Green Belt has a spatial aspect as well as a visual aspect. 'Open' can mean the absence of development in spatial terms, and it follows that openness can be harmed even when development, or a part of it, is not readily visible from the public realm.
9. In this case, the property would extend to the side by a large margin, almost reaching the boundary with No 4. Additionally, the rear element would noticeably encroach upon the rear garden. The increase in the size of the property, and the resulting additional mass, would reduce the openness of the Green Belt, both spatially and visually. Even though the impact to openness would be fairly limited and localised, harm would result to the Green Belt.

Other Considerations

10. 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 resulting from the proposal, is

clearly outweighed by other considerations.

11. The appellants have referred to a potential fall-back position, for a number of extensions to the property which have been granted planning permission¹ and a certificate of lawfulness of proposed use or development² (CLPUD), both of which were granted in 2018. It is submitted that these extensions would increase the volume of the main house by 79% and by 136% with the outbuildings included. I have not been provided with detailed drawings of these developments, however I note that the Council consider that the fall-back position, including the outbuildings, if implemented would have a greater impact on the openness of the Green Belt than the scheme before me.
12. The fall-back position is clearly a matter that I attach weight to in my consideration of this appeal. However, whilst I have no doubt that the appellants would undertake the development already permitted by the Council, the evidence before me indicates that the previously approved extensions to the property would be smaller than that before me, thus their impact on the Green Belt would be likely to be less than the proposed extension. Moreover, if planning permission were granted for the appeal proposal there is no mechanism before me which would prevent the fall-back position from being implemented, particularly with regard to the development of the outbuildings. Accordingly, any benefits of the new extension compared with the fall-back position could be negated and this therefore reduces the weight that I can give to this matter in my consideration of the proposal.
13. The appellants have referred to the need for increased living space to accommodate the needs of their family and to modernise the property. The existence of multiple applications for planning permission to achieve this lends credence to this factor. However, this could be claimed for many proposed developments in the Green Belt. The development would continue to exist long after the personal circumstances have ceased to be relevant. Accordingly, I have given limited weight to this consideration.
14. I note the lack of objection to the proposal and support from interested parties, however such matters are neutral factors which do not weigh in favour of the proposal. Whilst no objections have been received to other matters other than harm to the Green Belt, the Framework makes it clear that the Government attaches great importance to Green Belts and that substantial weight should be given to any harm to the Green Belt. The absence of harm in other respects does not diminish the harm that would be caused to the Green Belt. Such matters carry little weight in support of the proposal.

Balancing of Considerations and whether very special circumstances exist

15. The proposal would be inappropriate development in the Green Belt and further harm to the Green Belt would be caused as a result of loss of openness. These matters carry substantial weight. 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. Consequently, the very special circumstances

¹ Reference 180421 (relating to a two storey side extension)

² Reference 181882 (relating to a two storey rear extension, a single storey front extension to form a porch, and two outbuildings)

necessary to justify the proposal do not exist.

Conclusion and Recommendation

16. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR