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## Appeal Decision

Site visit made on 25 February 2020

**by James Taylor BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 04 March 2020**

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**Appeal Ref: APP/R0335/D/20/3245572**

**Clare Cottage, Winkfield Street, Winkfield, Windsor SL4 4SW**

- 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 Robert Withers against the decision of Bracknell Forest Borough Council.
  - The application Ref 19/00832/FUL/RFULZ, dated 13 September 2019, was refused by notice dated 17 January 2020.
  - The development proposed is the erection of a detached outbuilding for car port and domestic storage.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - i) whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework and any relevant development plan policies;
  - ii) the effect of the proposal on the openness of the Green Belt; and
  - iii) if the development is inappropriate, 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 required to justify the proposal.

### Reasons

3. The National Planning Policy Framework (the Framework) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Furthermore, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Any harm to the Green Belt should be afforded substantial weight. Whilst the relevant development plan policies remain broadly consistent with the Framework, the specific allowance made at paragraph (v) of 'saved' Policy GB1 of the Bracknell Forest Borough Local Plan, January 2002 (LP) is not. As such, I afford this policy limited weight.
4. Paragraph 145 of the Framework sets out that the construction of new buildings should be regarded as inappropriate in the Green Belt. I note that the

plans show the removal of the garden shed and that the appellant suggests that this can be secured by condition. However, the proposal would be materially larger than the existing shed. Moreover, the parties agree that none of the exemptions listed at paragraphs 145 and 146 of the Framework are applicable. Furthermore, the parties agree that the proposal would be inappropriate development. I have no evidence to reach a contrary conclusion.

5. Clare Cottage is positioned to the rear of its plot, set back from Winkfield Street. The proposal would be sited to the front of the appeal site. This area is flat and laid to gravel for vehicular parking and turning. The appeal site is enclosed by hedging and fencing, and within the site there are some domestic features consistent with its use as a garden, such as a shed, fencing and planting. Nonetheless, the garden has an open and spacious character. This is consistent with the village's other ribbon development on this side of Winkfield Street and the open countryside opposite. Whilst the appellant highlights that the site is within the more built up context and character of the village, the buildings are generally set back from the road here and there are few examples of them close to the highway. This provides a high degree of openness.
6. The proposal would erode the openness at this point through the erection of the built form. It would be visible from approaches in both directions, particularly through the vehicular access. The modest scale, good quality design, materials and landscape features would mitigate the visual impact to a degree, however they would not mitigate the effect on the spatial dimensions of openness. As such, I find that the proposal would harm openness and as set out within the Framework, I afford any harm to the Green Belt substantial weight.
7. The appellant has advanced a number of other considerations in support of the proposal. Furthermore, they assert that when they are taken together, they would amount to the very special circumstances necessary to justify the development. Paragraph 145 of the Framework sets out that very special circumstances will not exist unless the potential harm by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
8. I have observed that the site has no garaging and very restricted space to the side and rear to provide secure outside storage. Furthermore, due to the layout of the property a front extension would be likely to impact the existing living conditions of the dwelling's occupiers. However, I have no evidence that the proposals before me are the minimum required in order to meet the basic needs of the existing and future occupiers. Although common within the village, I have no evidence that a car port or garage is an essential facility at this property. Furthermore, I have little evidence to support the assertion that the other storage requirements cannot be met in a manner that is less harmful to the Green Belt. Additionally, I have no evidence before me regarding crime levels such as to substantiate the security concerns. As such, I afford these other considerations limited weight.
9. Additionally, I note that planning permission<sup>1</sup> has been granted previously for a similar proposal. However, I do not have full details, the permission has expired and there have been material changes in policy since that decision. As such I afford this consideration very limited weight. The appellant asserts that

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<sup>1</sup> LPA ref: 10/00668/FUL

the proposal would be well screened and of a high-quality design; and highlights that the Council found no conflict with 'saved' Policy EN20 of the LP relating to design. However, in this case, I find that compliance with such other policy requirements to be a neutral consideration.

10. I have had regard to all the other considerations advanced by the appellant in support of the proposal and find that, even if I take them cumulatively, they do not clearly outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm, such as to amount to the very special circumstances required to justify the proposal.

### **Conclusion**

11. Therefore, in summary I find that the proposal would be inappropriate development within the Green Belt for the purposes of the Framework and relevant development plan policies. Furthermore, it would harm the openness of the Green Belt. I find that the other considerations in this case, even taken cumulatively, do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. As such, it would be contrary to Policy CS9 of the Council's Core Strategy Development Plan Document, Adopted February 2008; 'saved' policies GB1 and EN8 of the LP; and Section 13 of the Framework. These policies seek to protect the Green Belt from inappropriate development and ensure that Green Belt land is kept permanently open.
12. For the reasons given above I conclude that the appeal should be dismissed.

*James Taylor*

INSPECTOR