

Appeal Decision

Site visit made on 8 September 2021

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 October 2021.

Appeal Ref: APP/T0355/D/21/3270700

Island Reach, River Gardens, Bray, Maidenhead SL6 2BJ

- 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 Island Reach Bray Ltd against the decision of the Council of the Royal Borough of Windsor & Maidenhead.
 - The application Ref 20/02787, dated 20 October 2020, was refused by notice dated 18 December 2020.
 - The development proposed is extensions to existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are as follows:
 - Whether the proposal amounts to inappropriate development in the Green Belt;
 - The effect of the proposal on the character and appearance of the host dwelling and the openness of the Green Belt;
 - Whether the proposal would adversely affect protected species and their habitats; and
 - If the proposal does amount to inappropriate development, whether the harm by reason of inappropriateness, along with any other harm resulting from the proposal, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether or not inappropriate development

3. The appeal relates to a detached bungalow which sits within a group of dwellings of a variety of shapes and sizes. It is located within a recognised settlement within the Metropolitan Green Belt as defined by the Royal Borough of Windsor & Maidenhead Local Plan (LP).
 4. The National Planning Policy Framework (NPPF) explains that the construction of new buildings should be regarded as inappropriate in the Green Belt save for a number of exceptions. One such exception is the extension or alteration of a building provided that it does not result in disproportionate additions over and
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above the size of the original building. Saved policies GB1, GB2A and GB4 of the LP are broadly consistent with this advice.

5. The explanatory text to policy GB4 advises that a number of factors will be taken into account when considering the matter of '(dis)proportionality'. These include the size of the original house, the size of the plot, the nature of the surrounding area and the design and position of the proposed extension in relation to the view from public places. It goes on to say that floorspace will be a guiding factor in assessing whether a proposal is in accordance with the policy, although percentage increases are not the sole determining factor. It explains that the bulk and scale of proposals, their effect on the openness and the purposes of the Green Belt and their impact on the general appearance of the area as well as the individual property will all be considerations.
6. The appeal dwelling is a bungalow with a shallow roof pitch which sits within a substantial plot. The proposal seeks to add a first floor over the majority of the footprint of the existing dwelling, save for the single storey section which projects from the front elevation of the dwelling along with a small section to the rear. According to the figures provided by the appellant company, this would result in an increase in floorspace of some 80%, which is considerable. This would be achieved by raising the eaves by 2 metres and the ridge by 2.2 metres. The proposed enlargement would turn the bungalow into a house, radically altering the overall scale, massing and appearance of the building.
7. The increased eaves and ridge and in particular, the extended gable features, would add considerable bulk and massing. Even accounting for the generous plot and setting of the property, the additional bulk and massing would increase the overall size and prominence of the dwelling considerably and the effect would be widely visible from the public domain. For these reasons, I share the Council's view that the proposal would result in disproportionate additions over and above the size of the original building. It therefore amounts to inappropriate development in the Green Belt, contrary to the national and local policies referred to above.
8. The NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to say that substantial weight should be given to any harm to the Green Belt and that the very special circumstances necessary to justify it will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Character and appearance and openness

9. The Council has raised concern that the extensions and alterations proposed would relate poorly to the host property and would appear out of keeping. In my view, the existing dwelling is of very limited architectural value and therefore a significant change to its overall appearance would not, in itself, be unacceptable.
10. At my visit, I noted the presence of two storey dwellings within the immediate vicinity, including next door to the west at Braybrook House. I am also mindful that the space around the host dwelling would be retained given that its footprint would not materially alter. Nevertheless, as explained, the proposal

would significantly increase the height and built form of the dwelling, thereby noticeably increasing its overall presence and prominence.

11. On this basis, whilst I find that appearance of the dwelling itself is of limited architectural value, the effect of the proposed alterations would, in my view, harmfully reduce the openness of this part of the Green Belt.

Protected species

12. The Council's Ecologist raised an objection asserting that insufficient information was provided to determine the likely impact of the proposal on bats. The planning application was supported by a Preliminary Bat Roost Assessment (PBRA) produced by a suitably qualified Ecologist. The PBRA found no evidence of roosting bats and concluded that the bat roost potential was low. The Ecologist advised that no additional surveys are required.
13. On the basis of the information available to me, I am satisfied that the proposal would not adversely affect protected species and their habitat. On this basis, there would be no conflict with paragraph 180 of the National Planning Policy Framework or Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System.

Other considerations

14. The appellant argues that it would be possible to extend the dwelling under the provisions of permitted development and the resultant building could have a considerably greater floorspace and could be some 1.65m taller. Whilst this is not disputed, any increase in the overall height of the dwelling, along with the introduction of single storey extensions beyond a certain size, would be subject to the 'prior approval' process. No specific details of such an alternative scheme have been advanced and it is by no means certain that it would gain prior approval or take place. As a result, I attach some but only limited weight to this consideration in the overall planning balance.
15. The appellant company also refers to the fact that other dwellings within the immediate locality have been extended considerably, including first floor additions, with a property known as 'Karina' specifically referred to. However, I do not know the precise planning circumstances behind the examples and I have considered the appeal proposal on its individual merits in any event.

Overall Conclusions

16. Although I am satisfied that the proposal would not adversely affect protected species and their habitat, it would amount to inappropriate development and it would harm the openness of the Green Belt, contrary to the NPPF and development plan policies outlined above.
17. The arguments advanced by the appellant company do not clearly outweigh the harm by reason of inappropriateness along with the harm to the openness of the Green Belt. On this basis, the very special circumstances necessary to justify the development do not exist.
18. Accordingly, the appeal does not succeed.

David Fitzsimon INSPECTOR