

Appeal Decision

Site visit made on 17 May 2022 by Max Webb BA(Hons)

Decision by K Taylor BSC Hons PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2022

Appeal Ref: APP/R0335/D/21/3283002

Oak Cottage, North Street, Winkfield, Windsor SL4 4TF

- 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 Tony Cane against the decision of Bracknell Forest Council.
 - The application Ref 20/00764/FUL/RFULZ, dated 29 September 2020, was refused by notice dated 23 July 2021.
 - The development proposed is erection of a single storey rear extension.
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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.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (Framework) and any relevant development plan documents;
 - the effect on the openness of the Green Belt; and
 - if the development is inappropriate, whether any 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 the proposal.

Reasons for the Recommendation

4. The appeal site is a semi-detached dwelling situated in the Green Belt. An outbuilding has been constructed next to the property that projects beyond the rear wall and connects to the main property. There has also been an extension at roof level. The proposal would add an additional single-storey rear extension. The appeal site is neighboured on one side by a commercial garage.

Inappropriate Development

5. Paragraph 147 of the Framework sets out how inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 sets out exceptions to this, 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.

6. Policy GB1 of the Bracknell Forest Borough Local Plan (adopted 2002) (Local Plan) outlines how development in the Green Belt must be acceptable in terms of scale, form, effect, character and siting. Paragraph 4.38 of the Local Plan in particular sets out how extensions to existing dwellings will be disproportionate if they exceed 40% of the gross floor area of the original building. The appellant has suggested that Policy CS9 of the Core Strategy Development Plan Document (adopted 2008) (Core Strategy) relates primarily to development on land outside settlements, and as the appeal property is in a settlement, it is not relevant. Whilst the first part of the Policy may not be particularly relevant, it is clear from the supporting text that the second part is seeking to protect the Green Belt in general, in which the appeal site is situated, from inappropriate development. I therefore consider it relevant to this appeal.
7. The Council set out the gross footprint of the original dwelling as 90.58m², with the existing extensions increasing this to 167.67m², an increase of approximately 59.7%. The proposal would increase the gross footprint to 186.55m², which would lead to a cumulative increase in floor area from the original of approximately 69.25%. These measurements are not disputed by the appellant.
8. Although the proposal in isolation would be modest, when considering extensions in the Green Belt, development must be taken in combination with any previous additions to the original building. The existing extensions on the host building are significant, so the cumulative impact from the proposal would be above the 40% set out in the Council's policy. Whilst assessing the impact of the proposal is not purely a mathematical exercise, the footprint of the existing property over the original building is significant. As such, when combined with the other additions to the property, the proposal would be a disproportionate extension.
9. The appellant refers to three appeal decisions¹ that have allowed proposals resulting in a large cumulative floor area or volume. However, all three appeals related to development that the Inspectors deemed to be positioned in a way that would not appear disproportionate to the dwellings and as a result would not be inappropriate development in the Green Belt. In contrast, this proposal, although not projecting beyond the outbuilding, would project beyond the rear wall of the original dwelling. Thus, it would be positioned in a way that would, when combined with the existing additional footprint, would be a disproportionate addition. I do not therefore consider any of the referenced appeal decisions to be relevant to this appeal.
10. Overall, the cumulative increase in size would result in a disproportionate addition that would, having had regard to local policy and the Framework, result in the proposal being inappropriate development in the Green Belt.

Openness

11. The proposal would extend beyond the wall of the main dwelling, filling in what is currently open space next to the outbuilding. By increasing the massing of the property, the openness of the Green Belt would be reduced to some extent.

¹ APP/P5870/D/18/3196834, APP/B3030/D/19/3241277, APP/Y3615/W/18/3202309

12. From the public domain the extension would not be particularly visible due to the boundary treatment around the rear of the property and the adjacent commercial garage. However, from the appeal site and the neighbouring property the proposal would be visible. In any event, openness of the Green Belt has a spatial aspect as well as a visual aspect. Although modest, the proposal would have a spatial impact by adding volume in the Green Belt.
13. Paragraph 137 of the Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Accordingly, the proposal would detract from the openness of the Green Belt, albeit the effect would be limited due to the modest size of the proposal.

Other Considerations

14. The appellant has not put forward any other considerations in favour of the development. I have had regard to the modest nature of the extension itself, the limited impact on openness and the other appeal decisions. The modest nature of the proposal causes some harm, the limited impact on openness would also result in some modest harm and the other appeal decisions are not considered relevant to this appeal. Therefore, together, these considerations do not carry any significant positive weight.

Conclusion and Recommendation

15. The proposal comprises inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. The limited harm to openness is also added to this harm. Paragraph 148 of the Framework specifies that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. As has been outlined above, the other considerations do not carry significant positive weight and thus do not clearly outweigh the harm identified. Consequently, the very special circumstances that would be needed to justify the proposal do not exist.
16. The proposed extension would therefore conflict with Policy GB1 of the Local Plan, Policy CS9 of the Core Strategy and the Framework.
17. For the reasons given above, I recommend that the appeal should be dismissed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR