



Appeal Decision

Site visit made on 12 July 2022 by M Long

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2022

Appeal Ref: APP/T0355/D/21/3287460

Tudor Cottage, 5 Bedford Lane, Sunningdale, Ascot SL5 0NP

- 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 Ms Sandra Moore against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 21/01877, dated 1 June 2021, was refused by notice dated 22 September 2021.
 - The development proposed is a part single/part two storey side/rear extension and relocation of front entrance door following demolition of existing conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for a part single/part two storey side/rear extension and relocation of front entrance door following demolition of existing conservatory at Tudor Cottage, 5 Bedford Lane, Sunningdale, Ascot SL5 0NP in accordance with the terms of the application, Ref 21/01877, dated 1 June 2021, subject to the following conditions:
 - 1) The development hereby permitted shall not begin later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: 2021-1407-PL (Rev D) (Proposed Floor Plans and Elevations) and 2021-1407-PL (Existing and Proposed Site Plans).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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.

Preliminary Matters

3. After the decision notice was issued, the new Borough Local Plan 2013-2033 was adopted and a number of policies have been superseded. I must base my recommendation on the current adopted development plan. The Council has drawn attention to a number of policies and my recommendation will take particular account of those that are relevant to the Council's reason for refusal.
4. There is a discrepancy in the descriptions of development used within the documents submitted during this appeal process. I have chosen the description

used by the Council, which was also included by the appellant in the appeal form, in the interests of clarity.

Main Issues

5. The appeal site is within the Green Belt and therefore the main issues are:

- whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and any relevant development plan policies.
- If so, the effect of the proposal on the openness of the Green Belt.

Reasons for the Recommendation

6. The appeal site is a semi-detached dwelling that has a rear kitchen extension and conservatory situated within a generously-sized plot on the northern side of Bedford Lane. It has a large rear garden with tall, mature vegetation along the shared side boundaries with the neighbouring properties. There is also mature vegetation at the front of the property which limits views of the site from the highway. The semi-detached pair share a broadly similar design, however there is a large two-storey extension to the rear of the attached neighbouring property.
7. The proposal would result in the demolition of the existing conservatory and the construction of a part single and part two-storey extension to the rear and side of the dwelling. It would include a new conservatory at ground floor level and would relocate the front entrance.

Whether there would be inappropriate development in the Green Belt

8. Paragraph 147 of the Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 outlines that the construction of new buildings should be regarded as inappropriate, save for a number of exceptions. One of these is 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.
9. The appellant has indicated that, as the construction date of the rear kitchen extension cannot be confirmed, it should be regarded as part of the original dwelling. The Council were provided with an additional opportunity to submit evidence that could provide clarity on this matter, such as written records, historic maps or aerial photography. The Council have confirmed that they have no further evidence. In this circumstance, and with the evidence that I have been provided with, it is now reasonable to assume that the kitchen extension is part of the original building as I do not have any evidence to the contrary.
10. This being the case, the proposal would result in a 32% increase of floorspace at the appeal dwelling, which would be an acceptable addition in relation to the size of the original building. Moreover, the proposed volume and bulk of the appeal scheme would be visually subordinate to the main dwelling and, when viewed in the context of the large plot size, would not appear as a disproportionate extension of the original dwelling.

11. Given the above, the proposal would not constitute inappropriate development in the Green Belt. It would accord with the Borough Local Plan 2013-2033, adopted February 2022, specifically Policies SP1 and QP5 which seek to ensure the Green Belt is protected from inappropriate development in line with Government policy.
12. As the proposal would not constitute inappropriate development in the Green Belt, it is not necessary to consider its impact upon openness.

Conditions

13. In addition to the standard time period for commencement and requiring that the development be carried out in accordance with the approved plans, which is necessary for certainty, I recommend that matching external materials are used to preserve the character and appearance of the dwelling.

Conclusion and Recommendation

14. The proposal would not be inappropriate development in the Green Belt and would accord with the development plan, when considered as a whole. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR