



Appeal Decision

Site visit made on 17 March 2023

by D Szymanski BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2023

Appeal Ref: APP/T0355/D/22/3308994

Hill Grove Farm, Bradcutts Lane, Cookham Dean, Windsor and Maidenhead SL6 9AA

- 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 T Burton against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 22/01806, dated 4 July 2022, was refused by notice dated 25 August 2022.
 - The development proposed is Removal of existing single storey lean-to and reduction of existing garage footprint to provide new dual pitched roof to existing garage link to extend existing accommodation with rooflights. Modify internal configuration, relocate existing staircase and reclad external walls with timber boarding.
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Decision

1. The appeal is allowed, and planning permission is granted for removal of existing single storey lean-to, reduction of existing garage footprint to provide new dual pitched roof to existing garage link to extend existing accommodation with rooflights, modify internal configuration, relocate existing staircase and reclad external walls with timber boarding at Hill Grove Farm, Bradcutts Lane, Cookham Dean, Windsor and Maidenhead SL6 9AA in accordance with the terms of application Ref: 22/01806 dated 4 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with approved plan Refs PL-01 (Block & Location Plan), PL-04D (Proposed Floor Plans) and PL-05D (Proposed Elevations).
 - 3) With the exception of the proposed timber boarding which shall have been previously submitted to and approved in writing by the Local Planning Authority prior to its installation, the materials to be used in the construction of the external surfaces of the development hereby permitted shall be those set out as Proposed materials and finishes set out in the planning application form dated 4 July 2022.

Main Issues

2. The main issues are:

- whether the proposal would be inappropriate development in the Green Belt;
- the effect of the proposal on the openness of the Green Belt;
- the effect of the proposal on the character and appearance of the area; and,
- 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

Inappropriate development

3. Paragraph 137 of the National Planning Policy Framework (2021) (the Framework) identifies the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 147 states that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework identifies the construction of new buildings should be regarded as inappropriate in the Green Belt, subject to exceptions listed in paragraphs 149 and 150.
4. Policy QP5 of the Borough Local Plan 2013 – 2033 (2022) (the BLP) provides that, the Green Belt will be protected against inappropriate development, and permission will not be granted for inappropriate development (as defined by the Framework), unless very special circumstances are demonstrated. Therefore, QP5 is consistent with the Framework in this regard.
5. An exception at paragraph 149 of the Framework is the extension of a building provided it does not result in disproportionate additions over and above the size of the original building. While the Framework does not define what constitutes disproportionate, Annexe 2 defines the original building as being as it existed on 1 July 1948 or, if constructed after, as it was built originally.
6. The building is a part dual pitched, part mono-pitched and part flat roof/irregular pitched out building. The original element of it has a floorspace of approximately 40 square metres (sqm). It has been added to, including by the flat/irregular roofed element. Development that is not original created an additional approximately 37 sqm of floorspace and associated bulk and volume. This constitutes a disproportionate addition.
7. This proposal would remove the some existing floorspace, bulk and volume by demolishing part of the garage and a lean-to element. A new pitched roof would be erected over the remaining flatter element of the roof. Another part of the flat roof would be lowered. It would provide a similar amount of floorspace, but a very minor increase in the volume of development. Therefore, it would be a disproportionate addition to the original building.
8. For the reasons set out above, the proposal would be inappropriate development in the Green Belt, which the Framework confirms is, by definition, harmful to the Green Belt.

Openness

9. There would be a significant reduction in building footprint which would be notable from parts of the appeal site, Bradcutts Lane and Alleyns Lane.

However, the new increased roof and overall volume would also be visible, primarily from within the appeal site, a section above the wall on Bradcutts Lane east of the appeal site and part of a neighbouring field through and above a hedgerow. On-balance taking into consideration the various elements of the proposal, as a whole, the proposal would result in minor negative adverse effects upon the visual and spatial openness of the Green Belt.

10. The proposal, therefore, would have an adverse impact upon the openness of the Green Belt. It would conflict with the Framework, insofar as this aims to ensure the openness of the Green Belt is preserved.

Character and appearance

11. The main dwelling is a high quality large historic building in red brick, render and vertical tiling under a red tile roof incorporating a variety of period and newer features and forms, set within a generously sized plot. The original part of the outbuilding also exhibits historic forms and features. It is of painted brick construction with a tiled pitched roof, a single storey lean-to element and a more modern part-shallow part steeper pitched roof element with a large expanse of felt covering, with the steeper pitch tiled.
12. By virtue of the roof forms, materials, guttering and the prominence, the roof above the more modern garaging element is a highly strident jarring negative feature. It results in a disjointed appearance in a sensitive location, that is not sympathetic to or in keeping with the character and appearance of the existing building, appeal site and the area. The existing lean-to is a largely neutral feature although does include some unsympathetic grills and flues visible from the street scene. All the various features are visible from sections of either Bradcutts Lane, Alleyns Lane and from within the appeal site.
13. The proposed new pitched roof would remove what is currently a highly negative feature. The new roof would be of a limited bulk, massing and scale that would be in keeping with the form, appearance, pitch and materials of the building and the main dwelling. The new rooflights and Juliette balcony are limited well-proportioned elements. The timber boarding is a traditional material that will unify the building and retain the existing positive historic features such as the corbelling.
14. The distance of the gap between the proposed new gable wall and the main dwelling would be similar to the existing. Despite its height, the siting, distance and materials means the buildings would remain and clearly be perceived, as distinct visually separate buildings. Visibility would remain between the buildings, it would respect the existing farm type courtyard development pattern, and not constitute over-development. As the appeal building would remain considerably smaller and significantly lower than the main dwelling, it would not appear akin to the primary site building.
15. The appeal proposal is in a location viewed in the context of historic buildings of some quality, which justifies an improved quality of design. Overall, I consider the proposal is for a high-quality design that would result in the building sitting visibly better within its context and the street scene consistent with design advice in the Cookham Village Design Statement Supplementary Planning Document (2013). It would considerably enhance the character and appearance of the host building and its contribution to the appeal site and area.

16. For the reasons set out above the proposed development would enhance the character and appearance of the area. It is compliant with Policy QP3 of the BLP, which amongst other things requires development is of a high-quality design that respects and enhances the character of the local environment. It would also be compliant with paragraph 130 of the Framework which has similar objectives. In the absence of a specific reference to the contrary, I find no conflict with the advice in the Borough Wide Design Guide (2020) which, amongst other things, seeks to secure a high standard and sympathetic design.
17. The Council has clarified the reference to Policy SP3 in its report is an error. Given the location of the proposal on an existing driveway and building I do not find a conflict with the objectives of Policy NR3 in respect of the protection and enhancement of natural habitats, trees, woodlands, and hedgerows.

Other considerations

18. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. While in this case the harm to the Green Belt is very limited, substantial weight is given to the identified harm to the Green Belt.
19. As set out above, the proposal would result in a considerable enhancement to the character and appearance of the building, appeal site and the area, which as a matter of planning judgement attracts substantial weight. The development would provide a new study space. The appellant advises permitted development rights are available under Class E of Part 1 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) and it is intended to erect a garden building if the proposal is not allowed. I see no reason the rights would not be available, and a building could provide a new study. This would be likely to result in a less desirable building. There is a greater than theoretical possibility such a development taking place. However, as I have not been provided with a designed scheme, this attracts only limited weight.
20. The Council does not find the proposed development in conflict with policies in respect of matters such as car parking provision or the living conditions of neighbouring occupiers, and based upon the evidence before me, I see no reason to disagree. Compliance with these policies are neutral matters.

Green Belt Balance

21. The proposal amounts to inappropriate development and would also result in harm to the openness of the Green Belt. This attracts substantial weight. However, it would result in a significantly more visually attractive and well-designed building, that would result in a considerable improvement to character and appearance. In the context of this appeal scheme, this attracts very substantial weight. In this case I find that the other considerations clearly outweigh the harm that I have identified by reason of inappropriateness and the harm to the openness. I consider that very special circumstances exist which justify approving the proposal.

Conditions

22. It is necessary to specify conditions for the time limit for commencement and compliance with the approved plans to ensure certainty. To ensure the satisfactory appearance of the development a condition is necessary to ensure

the external materials used in the construction of the development as set out in the application, with the exception of the timber boarding which it is necessary are previously agreed in writing by the Local Planning Authority. No other conditions are necessary.

Conclusion

23. For the reasons set out above, having regard to all the matters raised, I conclude the appeal should be allowed and planning permission be granted.

Dan Szymanski

INSPECTOR