
Appeal Decision

Site visit made on 2 May 2023

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th May 2023

Appeal Ref: APP/X0360/D/22/3309067

The Reach, Remenham Lane, Remenham, Wokingham RG9 3DD

- 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 M Dudley against the decision of Wokingham Borough Council.
 - The application Ref 221802, dated 11 June 2022, was refused by notice dated 5 August 2022.
 - The development proposed is described as a 'second storey extension over attached garage.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is located within an area of Green Belt. Accordingly, the main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the 'Framework') and relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the development upon the character and appearance of the surroundings; and
 - If the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether Inappropriate Development

3. The Framework states that the construction of new buildings is to be regarded as inappropriate development subject to the exceptions which are set out in paragraph 149. Part c) of this paragraph lists 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, as one such exception.
4. The supporting text to Policy TB01 of the Wokingham Borough Development Plan - Managing Development Delivery Local Plan (MDDLDP) (2014) defines

disproportionate, or limited, as involving a cumulative increase of generally no more than a 35% increase in volume over and above the original dwelling.

5. The Council set out that the current property, approved in 1997¹ represented an increase of 150% over the original dwelling² on this site. The appellant does not dispute this. As such, whilst the Council measure the proposed extension at 87m³ of volume, an increase of this magnitude of the volume of the original property would be significant and would amount to a substantial increase in the form, bulk and overall scale and size of the original building.
6. In light of the above I conclude that the further addition proposed would comprise a disproportionate addition over and above the size of the original building and would result in inappropriate development in the Green Belt, as described in MDDL Policy TB01, Policy CP12 of the Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document (2010) (CS) and paragraph 149 of the Framework.

Openness

7. The Framework makes it clear that openness is an essential characteristic of the Green Belt. Whilst located behind the boundary walls, the height and scale of the extension would be visible from the footpath running along the side of the property. There would be therefore a visual impact upon openness, in addition to the spatial impact that would result, and openness would be reduced.

Character and Appearance

8. Given the limited scale of the extension in the context of the large existing dwelling and plot, along with the appropriate materials and design, I am satisfied that there would be no harmful visual impact on the character and appearance of the wider surroundings.
9. As such, there is no conflict with general high-quality design, protection of the separate identity of settlements and maintenance of the quality of environment goals of CS Policies CP3 and CP11. In addition, there would be no conflict with the protection of character and context advice set out in the Supplementary Planning Document 'Borough Design Guide' (2012).
10. The refusal reason also references CS Policy CP1, however this relates to sustainable development and minimising the impact of development on the environment. As such, it has little relevance to the main issue.

Other Considerations

11. The appellant makes reference to age and the likely need for additional accommodation for live in help. I am mindful of the Public Sector Equality Duty arising from Section 149 of the Equalities Act 2010 (the Act). The Act sets out the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This involves having due regard, in particular, to the need to eliminate discrimination, advance equality of opportunity and foster good relations between people who

¹ Application reference 970322

² Which the Council set out was constructed in 1967 under application reference 54/67. The appellant does not dispute this.

share a relevant protected characteristic and those who do not. Amongst other things, for the purposes of the Act protected characteristics includes age.

12. I have given the family's personal circumstances very careful consideration. Whilst the development offers some benefits to the appellant's family there is no compelling evidence that without the development the family would be unable to provide accommodation space that may be necessary. As such, in this instance, this benefit carries little weight.
13. The appeal property is located within the Remenham Church Conservation Area. No detail is provided regarding this designation; however, it is evident that its significance lies with its special architectural and historic interest. Given the limited scale of the extension in the context of the existing property, the development would preserve the character and appearance of the CA, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.
14. I acknowledge the lack of objection from the occupiers of neighbouring properties however this does not lead me to a different conclusion on the main matters nor weigh in favour of the proposal.

Conclusion

15. The proposal would constitute inappropriate development in the Green Belt and would reduce openness in this location. The Framework states that substantial weight should be given to any harm to the Green Belt. Even when taken together, I conclude that the other considerations do not clearly outweigh the harm in this case. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal is therefore contrary to MDDL Policy TB01, CS Policy CP12 and guidance contained in the Framework relating to Green Belts.
16. For the reasons given above I conclude that the appeal should be dismissed.

B Phillips

INSPECTOR