
Appeal Decision

Site visit made on 6 June 2023

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 June 2023

Appeal Ref: APP/X0360/D/23/3314949

6 Hatchgate Cottages, Hatch Gate Lane, Cockpole Green, Wargrave, Wokingham RG10 8NE

- 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 Michelle Reynolds against the decision of Wokingham Borough Council.
 - The application Ref 222798, dated 15 September 2022, was refused by notice dated 2 December 2022.
 - The development proposed is erection of two storey rear and side extension, single storey front extension and detached garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - 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
 - on the basis that the proposal would be inappropriate development in the Green Belt, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to very special circumstances required to justify the development.

Reasons

Inappropriate Development

3. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
4. Policy CP12 of the Wokingham Borough Core Strategy (2010) (Core Strategy) seeks to protect the Green Belt against inappropriate development. Its approach is broadly consistent with the Framework, however, it does not

permit inappropriate development in very special circumstances. As the Framework is more up to date than the Core Strategy, I give greater weight to the policies in the Framework in this regard and have assessed the appeal on this basis.

5. Paragraph 149 of the Framework establishes that the extension or alteration of a building is not inappropriate in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building.
6. Policy TB01 of the Wokingham Borough Adopted Managing Development Delivery Local Plan document (2014) (Local Plan) reflects this. It states that the alteration and/or extension of a dwelling in the Green Belt over and above the size of the original building(s) shall be limited in scale. The supporting text defines 'limited' as a cumulative increase of generally no more than a 35% increase in volume over and above the original dwelling.
7. It is not disputed by the parties that the proposal would increase the volume of the appeal property by more than 35% over and above the original dwelling. While there are some differences between the volume figures provided by the parties, based on the figures before me, the resulting increase in volume would be at least 90%, excluding the garage. This would be a significantly larger increase in volume than the 35% used by the Council to define a 'limited' extension.
8. Visually, the proposed single storey extensions and garage would be modest in scale and appear subservient to the host dwelling. However, the proposed two-storey rear and side extension would be the same height as the host dwelling and therefore this part of the proposal would not appear as a subservient addition. Given this and the significant increase in the cumulative volume of the original dwelling, the proposal would result in disproportionate additions over and above the size of the original building.
9. Accordingly, the proposal would conflict with Policy TB01 of the Local Plan and the associated provisions of the Framework. It would be an inappropriate form of development within the Green Belt, which by definition, is harmful to the Green Belt, and would therefore also conflict with Policy CP12 of the Core Strategy.

Impact on openness

10. The proposal would be a significant addition to the existing dwelling and would unavoidably take up more space than the existing dwelling, which would harm the spatial openness of the Green Belt.
11. I saw on site that there is a tall and relatively dense hedge lining the front boundary of the appeal site that partly restricts views of the appeal property from Hatch Gate Lane. Nonetheless, there are views into the appeal site from the gated entrance and these views currently include the existing single storey side extension to the appeal property, the existing single storey garage, and the gap between the two. This gap allows views through the site of trees and other greenery in the rear gardens of the properties on Hatch Gate Lane.
12. The proposed two-storey rear and side extension would fill much of this gap, including the air space above the existing single storey side extension. This would result in harm to the visual openness of the Green Belt, albeit this harm would be relatively localised.

13. Notwithstanding this, although the proposed garage would be closer to the boundary with the detached neighbouring property, Laburnum Cottage, than the existing garage, given it would be single storey, views of it from Hatch Gate Lane would be restricted. Its effect on the visual openness of the Green Belt would therefore be limited and would not be to a degree that it would cause any harm.
14. For the reasons above, the proposal would result in spatial and visual harm to the openness of the Green Belt. Thus, it would not preserve its openness contrary to the fundamental aim of the Framework.

Character and Appearance

15. Hatch Gate Lane is a relatively narrow carriageway with no pavements. It comprises a mixture of detached and semi-detached houses on one side and fields on the other. Along the section of Hatch Gate Lane where the appeal property is located, between Warren Row Road and The Crescent, the houses are set back from the highway on large plots with front boundary hedges and the field on the opposite side contains a number of trees. This creates a spacious and verdant character.
16. The houses on Hatch Gate Lane vary in their size, form, features, and materials. However, there are generous gaps between them, particularly at first floor level, which allow views of the greenery within the rear gardens and in some cases the wider landscape beyond. This adds to the spacious and verdant character.
17. The existing gap between the appeal property and its detached neighbour, Laburnum Cottage is very generous and contributes positively to the character and appearance of the area. Although the proposal would bring the built form of the appeal property and the detached garage closer to the boundary with Laburnum Cottage, the remaining gap between the houses at first floor level would not be small. It would be a similar size to the gap between Nos. 4 and 5 Hatchgate Cottages, which would be sufficient to preserve the spacious and verdant character of the area.
18. The proposed two-storey rear and side extension would be a similar scale to the recently constructed extension at the attached neighbouring property, No. 5 Hatchgate Cottages. I appreciate that the ridgeline of the recently constructed extension is set down slightly from the ridgeline of the main dwelling, which helps it to appear subordinate. However, there is a wide variety in the scale, form, and features of the houses in the surrounding area. The proposed materials would be in keeping with the appeal property, therefore, while the proposed extension, given its height, would not appear as a subservient addition, it would not be incongruous in the street scene.
19. Moreover, the front boundary hedge restricts views of the semi-detached pair as a whole. In my view this hedging is likely to remain in a similar form for aesthetics, privacy, and consistency with local character. Given this, and the existing front projecting gable end of the appeal property, views from the public realm of the proposed extension together with the recently constructed extension to the neighbouring property would be limited. Thus, any differences between the properties would not be apparent.

20. Accordingly, for the reasons above, the proposal would not harm the spacious and verdant character of the area. It would accord with Policies CP3 and CP11 of the Core Strategy. These seek to ensure development is of a high standard of design that can integrate with the character of the area, and, in the case of residential extensions, that they do not result in inappropriate increases in the scale, form or footprint of the original building.
21. Although the proposal would constitute inappropriate development in the Green Belt, for the reasons above, the scale would not be inappropriate with regards to character and appearance. Policy CP12 of the Core Strategy and TB01 of the Local Plan relate specifically to the Green Belt and not character and appearance. They are therefore not relevant in this regard.
22. The proposal would retain the existing landscape features and additional landscaping could be secured by condition if needed. It would therefore not conflict with Policy CC03 of the Local Plan, which relates to Green Infrastructure, Trees, and Landscaping.

Other Matters

23. The appellant considers that very special circumstances exist in the form of an established fallback position. Prior approval¹ is not required for the erection of a single storey rear extension at the appeal property. There is also a Certificate of Lawfulness² relating to the appeal property for the erection of a single storey side extension, two storey rear extension and single storey rear outbuilding.
24. I am satisfied that there is a reasonable prospect of these permitted developments being implemented in the event that this appeal is dismissed. However, they both include a rear extension, and it appears from the approved plans, that these rear extensions could not be implemented simultaneously unless the local planning authority and developer agreed in writing to an amendment³. Separately, it is unlikely that the permitted developments would result in a volume increase greater than the proposal.
25. Nevertheless, even if the total volume of the proposal would be slightly less than the permitted development, it does not automatically follow that it would have less of an impact on the openness of the Green Belt.
26. I appreciate that the proposal has been designed to be sympathetic to the host dwelling and plot. However, while the permitted development may have a larger footprint than the proposal, it is largely single storey, and the only two-storey part of the development would be to the rear of the property. It would therefore have a far more limited effect on the gap between the existing single storey extension and single storey garage and would not fill any of the air space above. Given this, although the permitted development may take up more space and would spread the development further from the appeal property, it would result in significantly less visual harm to the openness of the Green Belt than the appeal proposal.

¹ Application Number: 220627

² Application Number: 220919

³ Schedule 2, Part 1, Class A, Paragraph A.4 (11) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

27. In terms of benefits, both the permitted development and the proposal would result in modest economic and social benefits arising from their construction and the improved space within the house.
28. For the reasons above, overall, the fallback position provided by the permitted development is a neutral consideration in my determination.

Green Belt Balance

29. While I have found that the proposal would not harm the character and appearance of the area, it would conflict with Policy TB01 of the Local Plan. It would be an inappropriate form of development within the Green Belt that would harm its openness and would therefore conflict with Policy CP12 of the Core Strategy. The Framework indicates that harm by reason of inappropriateness should be given substantial weight and that inappropriate development should not be approved except for in very special circumstances.
30. I have given modest weight to the economic and social benefits arising from the proposal. However, this does not clearly outweigh the substantial harm by reason of inappropriateness and the harm I have identified to the openness of the Green Belt. Thus, there are not the very special circumstances necessary to justify the proposal. The proposal would therefore be contrary to the aims of the Framework with regards to Green Belt.

Conclusion

31. Accordingly, for the reasons above, and having had regard to the development plan as a whole and other material considerations, I conclude that the appeal should be dismissed.

Hannah Guest

INSPECTOR