



Appeal Decision

Site visit made on 12 June 2023

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2023

Appeal Ref: APP/T0355/D/22/3300670

27 The Drive, Wraysbury, STAINES-UPON-THAMES TW19 5ES

- 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 Leigh Vansanten against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 22/00852, dated 29 March 2022, was refused by notice dated 27 May 2022.
 - The development proposed is Part single/part two storey front/side/rear extension following part demolition of single storey side element and garage.
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Decision

1. The appeal is allowed, and planning permission is granted for Part single/part two storey front/side/rear extension following part demolition of single storey side element and garage at 27 The Drive, Wraysbury, STAINES-UPON-THAMES TW19 5ES in accordance with the terms of the application, Ref 22/00852, dated 27 March 2022, and the plans submitted with it, 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 the following approved plans: Location and site plan - Drawing number dwg-04 and Proposed Elevations and floor plans - Drawing number dwg-02.
 - 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.

Main Issues

2. The main issues are:
 - whether the proposed extension 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 on the openness of the Green Belt; and
 - if the proposal would be inappropriate development, whether any harm is clearly outweighed by other considerations, so as to amount to very special circumstances to justify it.

Reasons

Inappropriate development

3. The appeal site is within the Green Belt. Policy QP5, of the Royal Borough of Windsor and Maidenhead Borough Local Plan [2022] (LP), relates to development in the Green Belt. This policy states that the Council will resist inappropriate development (as defined by the Framework) unless very special circumstances can be demonstrated. Paragraph 149, of the Framework, establishes that buildings in the Green Belt would be inappropriate unless they would meet a listed exception. Paragraph 149(c) explains that the extension or alteration of a building would not be inappropriate provided that it would not result in a disproportionate addition over and above the size of the original dwelling.
4. The Framework does not define 'disproportionate'. As such consideration of proportionality is a matter of planning judgement taking into account a range of factors including height, floorspace, volume, design and the configuration of the plot, dwelling and proposal.
5. The host dwelling is a semi-detached property with a large single storey flat roofed side extension. The plot is enclosed by tree and hedge screening to its side whilst its rear garden provides some, albeit limited, views of surrounding gardens. The proposed extension would wrap around the side and rear of the original forming an addition of substantial mass. Although, the use of a purely numerical standard is not advocated by the Framework, it is noted that the proposal would more than double the volume of the dwelling with an increase of around 111%.
6. As such, the proposal would create a large addition to the building that would be disproportionate to the size of the original dwelling. This finding is reflected by the significant increase in floorspace, volume and massing compared to the size of the original dwelling. As it has not been demonstrated that the proposal would be any of the exceptions listed in Paragraph 149 of the Framework, it would amount to inappropriate development in the Green Belt. This would be, by definition, harmful to the Green Belt and would conflict with LP policy QP5 for the above reasons.

Effect on openness

7. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and its essential characteristics are therefore its permanence and openness. Due to the location, scale and massing of the proposed extension, the appeal proposal would fail to preserve the openness of the Green Belt.
8. Nonetheless, the proposal would include the demolition of a large side extension that currently covers the full width of the plot to the side of the original dwelling. The site is also within a relatively continuous row of dwellings with further residential plots opposite and to the rear. As a result, the proposal would cause harm, albeit lessened by its context, to the openness of the Green Belt.

Other Considerations

9. The Appellant has highlighted that the neighbouring dwelling, the other half of the pair of properties, includes extensions of a similar scale as the proposed extension. This application was approved in 2015 and was determined in a similar policy context. Therefore, whilst the Council now considers the approval of that extension to be a mistake, it informs the context of the site, nonetheless. Furthermore, planning proposals that are similar in form and context should be treated in a consistent manner by decision makers to retain public confidence in the planning system. This recent decision, and its proximity to the appeal site, is a material consideration. Moreover, the proposal would be in proportionate with the size of the extended neighbouring semi-detached property and provide visually balance.
10. An appeal decision¹ has been submitted in evidence for a large extension to a dwelling in the Green Belt. The Inspector found that the dwelling was of modest size compared to neighbouring development. The decision concluded that the proposal would complement the host building and its surroundings and would not represent a disproportionate extension to the dwelling. In the case of this proposal subject to this appeal, the proposed extension would integrate well with the host building and would appear as a subservient addition from the street. Furthermore, following demolition of the side extension, the dwelling would be relatively small in comparison to neighbouring built form. Accordingly, the scale of the proposal would complement the size of adjacent dwellings, especially the immediate neighbour and those that stand within spacious plots to the west of the site. The proposal would therefore accord with the predominant size of dwellings within the surrounding area.

Whether there would be Very Special Circumstances

11. Paragraphs 147 and 148 of the Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
12. I have concluded that the appeal scheme would be inappropriate development that would, by definition, harm the Green Belt. I have also concluded that the appeal scheme would result in harm to the openness of the Green Belt. Paragraph 148 of the Framework requires substantial weight to be given to any harm to the Green Belt.
13. However, in this case, the proposal would complement the scale of the extension approved at No 25 and would represent a consistent approach to this conjoined dwelling. The demolition of the wide side extension would create a gap to its side which would increase sense of openness from the public realm. The extended dwelling would also be of comparable scale to other adjacent dwellings within the wider area. These matters are of significant weight in favour of the proposal. In these specific circumstances, I consider that the harm to the Green Belt is clearly outweighed by other considerations and

¹ Planning Appeal Decision: APP/T0355/D/14/2223689

therefore the very special circumstances necessary to justify the development exist.

14. Accordingly, for the reasons given above, the proposal should be allowed.

Conditions

15. It is necessary to apply conditions in connection with a commencement period and list the approved plans to accord with the Planning Practice Guidance. It is also necessary for materials to match the main dwelling in the interests of the character and appearance of the area.

Conclusion

16. The appeal is allowed, and planning permission granted subject to the attached conditions.

Ben Plenty

INSPECTOR