



Appeal Decision

Site visit made on 22 August 2023

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2023

Appeal Ref: APP/T0355/D/23/3315038

Rose Cottage, Kings Lane, Cookham, Maidenhead SL6 9TZ

- 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 Tim Wilson against the decision of the Council of the Royal Borough of Windsor & Maidenhead.
 - The application Ref 22/02245, dated 15 August 2022, was refused by notice dated 27 October 2022.
 - The development proposed is installation of an extension at first floor level.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A new version of the National Planning Policy Framework (the Framework) was published on 5 September 2023. The section on Green Belt has not changed, so no injustice has been caused by the revised Framework.

Main Issue

3. The main issues are:
 - i. whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - ii. the effect of the proposal on the openness of the Green Belt; and
 - iii. whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

4. The appeal site comprises a two-storey semi-detached house located on the junction of Kings Lane and a main road that links Cookham to Marlow.

Whether inappropriate development

5. Paragraph 149 of the Framework states the construction of new buildings in the Green Belt is inappropriate subject to a number of exceptions. This includes c) 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. Policy Q5 of the Royal Borough of Windsor & Maidenhead Borough Local Plan 2022 (BLP) states the Green Belt policies in the Framework will be applied.

6. The parties agree the floorspace of the original dwelling was 76 m² and that a previous, completed extension increased this by 96 per cent. They also agree the proposed extension would result in a total increase of 113 percent over the size of the original building. Therefore, in combination with the initial extension, the proposal would more than double the size of the original building. This would be a disproportionate addition.
7. For this reason, I conclude the proposed extension would be inappropriate development in the Green Belt, contrary to paragraph 149 of the Framework and Policy Q5 of the BLP. Paragraphs 147 and 148 of the Framework state that inappropriate development is, by definition, harmful to the Green Belt and that substantial weight should be given to any such harm.

Openness

8. A fundamental aim of Green Belt policy, as set out in paragraph 137 of the Framework, is to keep land permanently open. Openness can be perceived spatially and visually. Spatially, the proposed extension would increase the volume of Rose Cottage. Notwithstanding the existing size of the host dwelling and the presence of dense hedges along Kings Lane, this would result in an increase in the house's visual presence. The appeal property is located in a prominent corner position, which can be seen by passing traffic on the main road and by walkers. In addition, the site is higher than much of Kings Lane, which means views of its frontage include glimpses of open countryside in the distance, particularly when deciduous vegetation is not in leaf. The visual impact of the proposal on openness would be greater as a result.
9. I accept the hipped roof form and subordinate position of the extension would somewhat reduce its visual impact. Nevertheless, this would not fully mitigate its adverse effect. Overall, there would be moderate harm to the openness of the Green Belt, to which, as set out in the Framework, I give substantial weight.

Other considerations

10. I accept the proposed extension, on its own, is relatively modest in scale and would not increase the footprint of the building. I also acknowledge it would be subordinate to the host dwelling and broadly in keeping with its character. In these respects, the proposal would be consistent with the guidance in the Cookham Village Design Guide and Borough Wide Design Guide Supplementary Planning Documents (SPDs). In accordance with paragraph 134 of the Framework, I give significant weight to the proposal's consistency with these SPDs, in terms of appearance.
11. I have considered the other decisions referred to by the appellant. The previously approved extension at the appeal site¹ proposed infill of the existing open front porch, so no floorspace would have been added to the building. With the extension at neighbouring Slate Cottage², the application involved a replacement conservatory of limited additional size. At Tugwood³, the proposed extension in combination with previous extensions would have resulted in a considerably smaller increase over the size of the original dwelling than would be the case in this appeal. Therefore, the circumstances that applied in these

¹ Application reference 21/02938

² Application reference 02/38464/FULL

³ Application reference 14/02586

other cases are not directly comparable to those before me. Consequently, I give these other developments limited weight.

12. It has been put to me a replacement dwelling that includes the appeal proposal could be applied for, which would not be materially larger than the house it replaces as set out in paragraph 149 d) of the Framework. No such proposal is before me, and I have considered the appeal proposal on its own merits. I therefore give this consideration little weight.
13. I note the reasons why the appellant wants a larger house, but minimal weight can be attached to such personal circumstances or the longer term 'liveability' of the dwelling. Any improvements to the energy efficiency of the dwelling as a result of the extension would be a matter for other regulatory regimes rather than a benefit of the proposal.
14. The Council is satisfied with the effect of the proposal on the living conditions of neighbouring occupiers, with respect to light, outlook and privacy. They also consider ecological impacts could be mitigated by condition were permission to be granted. I see no reason to disagree with these conclusions. Nonetheless, an absence of harm in these regards does not carry positive weight in favour of the development. The fact that the host dwelling occupies a large plot is of little consequence, as is the existence of larger detached properties nearby.

Green Belt Balance

15. According to paragraphs 147 and 148 of the Framework, inappropriate development in the Green Belt should not be approved except in very special circumstances. These will not exist unless the harm to the Green Belt is clearly outweighed by other considerations.
16. I am required to give substantial weight to the harms the development would cause to the Green Belt by virtue of its inappropriateness and to openness. The weights I have attached to the other considerations, individually or cumulatively, do not clearly outweigh the harms to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

17. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

C Carpenter

INSPECTOR