

Appeal Decision

Site visit made on 21 November 2023

by E Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2023.

Appeal Ref: APP/R0335/D/23/3324990

Mortimer House, Bracknell Road, Warfield, Bracknell RG42 6JX

- 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 Vincenzo Scafuto against the decision of Bracknell Forest Borough Council.
 - The application Ref 23/00217/FUL, dated 29 March 2023, was refused by notice dated 24 May 2023.
 - The development proposed is the erection of single storey rear extension.
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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 development on the openness of the Green Belt; and
 - whether the 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

Whether inappropriate development

3. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraph 149. One such exception being 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. The reference to 'size' can incorporate volume, height, external dimensions, footprint or visual perception. Therefore, an assessment of whether a proposal would amount to a disproportionate addition over and above the size of the original building is a matter of planning judgement.

4. Policy CS9 of the Core Strategy Development Plan Document adopted February 2008 (CSDPD) sets out that the Council will maintain the Green Belt boundary within Bracknell Forest and protect the Green Belt from inappropriate development.
5. Saved Policy GB1 of the Bracknell Forest Borough Local Plan adopted January 2002 (LP) allows for the limited extension of existing dwellings only in very special circumstances where acceptable, among other things, in terms of scale, form, effect, character, and siting. The supporting text to Policy GB1 indicates that the Council will normally consider any increase to be disproportionate if it exceeds 40% of the gross floor area of the original building and that account will also be taken of a range of other factors.
6. I note that the site falls within the Green Belt Village of Brockhill, as shown on the Bracknell Forest Borough Policies Map, and the appellant's assertion that saved Policy GB3 of the LP is therefore relevant. However, Policy GB3 is inconsistent with the Framework in that it sets out a different approach to the assessment of proposals for development, including extensions to dwellings, depending upon their location within the Green Belt. I therefore attribute very little weight to Policy GB3 in considering whether the proposal would constitute inappropriate development.
7. The appeal property is a detached 2 storey brick and tile dwelling in a row of residential properties which front the highway. The properties, which are an eclectic mix of ages and architectural styles, have been subject to various extensions and alterations. The proposed single storey rear extension, in addition to previous extensions to the property, would result in a 71% increase in floor area over and above the original building.
8. The proposed flat roof extension would be lower in height than both the main dwelling and the existing side adjunct and would therefore be visually subservient to the host property. It would also be sympathetic in design terms and would not be visibly prominent, including being screened by the existing buildings in views from the highway to the front. Nonetheless, the extension would have a considerable footprint, built form and overall volume. It would extend the full width of the 2 storey part of the dwelling, and would project beyond the rear gable elevation to the existing side extension. Consequently, the increase in the overall mass of the building would be substantial.
9. Therefore, having regard to the increase in floor area as well as the overall scale and volume of the proposed extension, the development, when assessed cumulatively with previous extensions, would represent a disproportionate increase above the size of the original house.
10. I note that the Inspector in the appeal decision at 4 Mount Pleasant¹ reached a different conclusion in relation to the proposed extensions in that case, as did the Council in their determination of a planning application at Billingbear Lodge². However, I do not have full details in respect of such works so I cannot be sure of the circumstances of the cases. Whilst the appeal at Oak Cottage³ was dismissed, the proposal and site context appear to be materially different to the appeal proposal.

¹ APP/R0335/D/16/3141638

² LPA Ref. 19/00874/FUL

³ APP/R0335/D/21/3283002

11. My attention is also drawn to an appeal decision at Bedford Gate Cottage⁴. Whilst there are some similarities with the appeal proposal, it differs that the host dwelling was a replacement dwelling. Consequently, the Inspector drew comparisons between the existing house and previous dwelling and outbuildings when considering the proposed extension to the property. Accordingly, the examples referred to are not determinative, and I afford them limited weight in my decision. In any event, I have determined the appeal on its own merits.
12. For the foregoing reasons, the appeal proposal would be inappropriate development in the Green Belt.

Openness

13. The Framework outlines that one of the essential characteristics of Green Belts is their openness. Openness has a spatial aspect as well as a visual aspect. Notwithstanding the presence of the neighbouring dwellings and the staggered nature of their rear elevations, as well as the existing outbuildings, the openness of the Green Belt is clear, particularly to the rear of the property.
14. Due to its combined depth, width and height, and resulting bulk and volume, the proposed extension would inevitably result in a loss of spatial openness of the Green Belt, albeit this would be limited given the scale of the proposal.
15. With regards to the visual impact to openness, due to the height and siting of the extension and the screening effect of the existing house, outbuildings, and adjoining properties, views of the extension from beyond the site, including from the open countryside to the rear, would be restricted. The extension would therefore have a limited effect on the openness of the Green Belt in visual terms.
16. For the foregoing reasons, I find that the proposal would result in limited harm to the openness of the Green Belt. In accordance with paragraph 148 of the Framework substantial weight is given to any harm to the Green Belt.

Other considerations

17. The proposed extension would provide an extended kitchen area to the benefit of the appellant, and it would therefore not give rise to additional activity and associated impacts. It would also be sympathetic in design terms to the host building and the residential character of the surrounding development. However, the benefits in these regards would be limited.
18. A condition to remove permitted development rights could be imposed but this would only come into effect once planning permission is implemented so would not be of any meaningful effect.
19. Whilst no objections have been raised to the proposals by consultees or interested parties, the absence of objection does not in itself render the scheme acceptable.

Green Belt Balance and Conclusion

20. The appeal scheme would constitute inappropriate development in the Green Belt which is harmful by definition and should not be approved except in very

⁴ Y3615/D/13/2190816

special circumstances. Such circumstances only exist where the harm by reason of any inappropriateness and any other harm is clearly outweighed by other considerations. The Framework requires that substantial weight should be given to any harm to the Green Belt. In addition to harm by reason of inappropriateness, the proposal would also result in a harmful loss of openness to the Green Belt.

21. For the reasons set out above I conclude that the harm to the Green Belt would not be clearly outweighed by the other considerations and, therefore, the very special circumstances required to justify a grant of planning permission have not been demonstrated. The proposal would therefore conflict with Policy C9 of the CSDPD and Policy GB1 of the LP, and the associated policies of the Framework.

22. The appeal is therefore dismissed.

E Worley

INSPECTOR