



Appeal Decision

Site visit made on 4 January 2024

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2024

Appeal Ref: APP/T0355/D/23/3327013

Angela Laycocks Cottage, Ascot Road, Hawthorn Hill, Bracknell, Berkshire RG42 6HH

- 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 Moyle against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref 23/00325, dated 31 January 2023, was refused by notice dated 10 May 2023.
 - The development proposed is demolition of existing conservatory, the construction of a two storey rear extension, insertion of bi-fold doors and a garage conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development includes the removal of an existing conservatory, construction of a two storey rear extension and conversion of an outbuilding to a residential annex. The Council's officer report indicates that the two storey rear extension is the matter in dispute. I have no reason to disagree with the Council's conclusion that the rest of the proposed development is acceptable in planning terms. My reasoning below therefore relates to the rear extension.
3. The revised National Planning Policy Framework (the Framework) has been published since the appeal was submitted. My decision is made in the context of the revised Framework, and I am satisfied that no interested party has been prejudiced by my approach.

Main Issues

4. The main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - The effect on the openness of the Green Belt; and
 - 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

5. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is regarded as inappropriate in the Green Belt save for a number of specified exceptions. One such exception is 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 Framework does not set out a definition of 'disproportionate additions' therefore this is a matter of planning judgement.
6. Policy QP5 of the Borough Local Plan (2022) (LP) sets out that new development in the Green Belt will only be permitted where national policy permits it.
7. The host dwelling has been extended under previous planning permissions which has increased the floorspace of the original dwelling by 157%. From the evidence before me it appears that these extensions have been implemented. This figure is uncontested, and I have found no reason to believe that it is incorrect.
8. The proposal would further increase the total floor space, albeit by a small amount, resulting in a cumulative increase of 173%. Notwithstanding the modest increase in floorspace the proposal would result in a building with a greater floorspace and far greater than the 50% increase that the Council indicate is appropriate for such developments. The proposal taken together with previous extensions would result in disproportionate additions over and above the size of the original building.
9. The proposed development would not meet any of the other exception criteria in paragraphs 154 and 155 of the Framework. I therefore conclude that the proposal would represent inappropriate development as set out in the Framework and would be contrary to Policy QP5 of the LP.

The effect on openness

10. The Framework states that one of the essential characteristics of the Green Belt is its openness. Openness is the absence of development notwithstanding the degree of visibility of the land in question from the public realm. Openness has both spatial and visual aspects.
11. I acknowledge that the proposal would not be highly visible from within the surrounding area and would not affect the amount of garden land available or the size of the plot. However, in terms of Green Belt impact the proposal would further introduce built form at the site and extend the footprint of the already substantially extended dwelling.
12. As such, I find that there would be a loss of openness of the Green Belt contrary to the aims and objectives of the Framework.

Other Matters

13. I acknowledge that the footprint of the original dwelling may have been modest, however I find that the proposal would be disproportionately large. The size of the original dwelling and the previous permission to replace the

conservatory, for that matter, do not justify such an addition to the rear elevation.

14. There are a number of extended properties locally. However, I have not been made aware of the individual circumstances that led to them being built. In any case, every appeal must be considered on its own merits. The presence of other extended properties in the area does not justify the harm that I have identified.
15. Whilst the proposed extension would be sympathetically designed and would not unduly affect the living conditions of existing neighbouring occupiers, these factors would not outweigh the harm that I have identified.

Conclusion

16. In line with the Framework the proposal would be inappropriate development in the Green Belt. It would also result in a loss of openness. I attach substantial weight to this harm.
17. The other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
18. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR