



Appeal Decision

Site visit made on 22 February 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2024

Appeal Ref: APP/X0360/W/23/3328838

**Hatchgate End, Hatch Gate Lane, Cockpole Green, Wokingham, Wargrave
RG10 8NE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Hart against the decision of Wokingham Borough Council.
 - The application Ref is 223792.
 - The development proposed is the erection of 1 no. five bedroom detached dwelling with attached carport, gates and associated works including boreholes following demolition of the existing dwelling and change of use of agricultural land for siting of solar panels.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for an award of costs was made by Mr and Mrs Hart against Wokingham Borough Council. This application will be the subject of a separate decision.

Preliminary Matters

3. During the course of the application, the main parties agreed to revise the description of development. As such, I have used the description provided on the Council's decision notice and the appellant's appeal form.

Main Issues

4. The main issues are: (i) whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; (ii) the effect of the proposal on the openness of the Green Belt; (iii) The effect of the proposal on the character and appearance of the area; and (iv) 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

Whether the proposal would be inappropriate development

5. Policy CP12 of the Wokingham Borough Core Strategy, January 2010 (CS) and Policy TB01 of the Wokingham Borough Managing Development Delivery Local Plan, February 2014 (LP) set out the approach to development in the Green

Belt. Apart from the outdated reference to PPG2, I am satisfied that these policies are in broad conformity with the National Planning Policy Framework (the Framework). Paragraph 154 of the Framework sets out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions. New buildings within the Green Belt are inappropriate unless, amongst other things, it would involve the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

6. I note that there is some dispute between the main parties with regards to the precise measurements of the existing dwelling and the proposed development. However, in any event, it is clear that the replacement building would be materially larger than the existing dwelling, whether that is taking account of volume, depth or width. Therefore, in Green Belt terms, the proposal represents inappropriate development.

Openness

7. The proposed dwelling would be considerably larger than the existing building. In particular, the increase in width and depth would be substantial. As such, the development would result in harm to spatial openness. In addition, the appeal site is in a reasonably prominent position fronting onto a road. From the public highway it would be seen as a much imposing and bulky structure than the existing building. Therefore, there would also be harm to visual openness.
8. While the proposal is only for a replacement dwelling, the extent of the size increase means that I am of the view that the total harm to the Green Belt would be moderate in nature.

Character and Appearance

9. The appeal site is located within a predominantly rural area on Hatch Gate Lane. The existing dwelling forms part of linear development that is set back from the road within large plots. As such, the area has a verdant and spacious character. While there are larger buildings nearby, including Laburnum Cottage, the dwelling is very much seen within the context of the homes immediately to the north of the site which all appear to be of a fairly similar size and style. Together, they provide an element of uniformity and rhythm to the urban form.
10. The Council's Landscape Character Assessment identifies that the appeal site is located within character area E1 (Remenham Arable Chalk Pasture). One of the landscape guidelines for that area includes the need to enhance the sense of place through careful design, including massing, scale and materials among other things.
11. The proposed replacement dwelling would be much larger, more imposing and considerably bulkier than the existing dwelling while there would also be a significant expanse of hard standing to the front of the property. In combination, these elements would inevitably erode the existing spacious and verdant character. Furthermore, the size of the building would disrupt the existing rhythm and uniformity with the adjacent dwellings. This would be exacerbated by its design including mock Tudor detailing which would look highly incongruous and out of place with the surrounds.

12. As such, I conclude that the proposed development would be in conflict with CP Policies CP1, CP3 and CP11 as well as LP Policies CC02 and TB21. Taken together, the relevant aspects of these policies seek to preserve character and appearance, including ensuring that development is well designed and does not result in inappropriate increases in scale for replacement dwellings. There would also be conflict with the parts of the Borough Design Guide Supplementary Planning Document that have similar aims.

Other Considerations

13. The appellant has noted that there is a fallback position that should be considered as part of this appeal. Indeed, permission has already been granted for extensions to the front and sides of the existing property (Council references 182314 and 190757 respectively). Given these permissions, there is a greater than theoretical prospect of the fallback position being progressed.
14. The measurements contained within the appellant's statement show that the total volume of the extended dwelling would be greater than the proposed replacement building. However, I am not persuaded that this is the key determinative factor in this case as the dwelling is primarily appreciated from the road in front. From this vantage point, the proposed dwelling would be seen as much bulkier and imposing than the fallback as it would be two storeys in height for its full width and depth, whereas the fallback position, even with its greater width and depth overall, would include single storey extensions to the sides. Therefore, in my view, the fallback position would be less harmful to visual openness of the Green Belt, and it is this aspect that is critical in this instance.
15. Furthermore, the fallback position would also ensure that the current building remains, and that there would not be a large mass of hard standing to the front. Therefore, even with approved extensions, it is much more likely that the design would conform more closely with the prevailing character of the immediate surrounds.
16. In terms of potential benefits of the scheme, I give little weight to the suggestion that the replacement building would be more sustainable in its use of energy than the existing building, as the retention and re-use of existing buildings is inherently sustainable and avoids the environmental impacts arising from demolition, the manufacture of materials and the construction process.
17. As a result, when considered as a whole, I am of the view that the fallback position would be considerably less harmful than the proposed development before me.

Other Matters

18. Various other approvals have been referred to by the appellant which they believe to be comparable to the proposed development. However, each proposal must be considered on its merits. In this instance, I have found harm in relation to Green Belt and that there are no very special circumstances to overcome this. Therefore, even if other schemes are comparable, this would not cause me to alter my decision.

Conclusion

19. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to the harm to the Green Belt, and very special circumstances will not exist unless the harm is clearly outweighed by other considerations.
20. When considered in combination, the weight that I have afforded to the benefits of the proposal do not clearly outweigh the harm to character and appearance and also the substantial weight that I must apply to the identified harm to Green Belt. As such, very special circumstances do not exist, and for this reason, the proposal is in conflict with the development plan and the relevant aspects of the Framework.
21. For the reasons given, the appeal is dismissed.

C Butcher

INSPECTOR