



Appeal Decision

Site visit made on 22 October 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 6 November 2024

Appeal Ref: APP/T0355/D/24/3344187

Trelawney, Jobs Lane, Cookham, Maidenhead SL6 9TX

- 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 David Bateson against the decision of the Council of the Royal Borough of Windsor & Maidenhead.
 - The application Ref is 24/00003.
 - The development proposed is alterations to an existing garage to include a new external staircase and raising of the eaves and ridge to create a new first floor.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have been provided with information relating to the complaint by the appellant against the Council, regarding the processing of the application. However, my decision is solely based on the planning merits of the proposal before me.

Main Issues

3. The main issues in this appeal are:
 - Whether the proposed development would be inappropriate development in the Green Belt, including the effect on the openness of the Green Belt.
 - The effect of the proposed development on the character and appearance of the existing site and of the local area, and
 - If the development is inappropriate, whether the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

4. The appeal property is a large detached property of modern design on the west side of Jobs Lane and within a very verdant setting, with mature trees around the boundaries. The main house is set deeper into the plot and there is an existing detached garage close to the site frontage. The existing garage has a

simple pitch roof and is surrounded by trees and foliage. The site is within the Green Belt.

5. The proposal seeks to raise the eaves and the ridge to the existing detached garage to create a first floor under an asymmetric roof line. There would be changes to the external finishes including a range of new windows with Juliet balconies and an external metal staircase with glass balustrades leading to the first floor. The design of the proposed extension and alterations to the existing garage, including the roof form, would reflect the design of the main property.
6. Policy QP5 of the Council's Borough Local Plan (Local Plan) states that the Metropolitan Green Belt will be protected against inappropriate development, as defined in the National Planning Policy Framework (Framework). The Framework establishes at paragraph 154 that the construction of new buildings in the Green Belt should be regarded as inappropriate unless one of the specified exceptions applies. These include 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 term disproportionate is not further defined.
7. The Council has undertaken its calculations of the existing and proposed size in relation to the garage. On the basis of these figures, the proposed increase in floorspace would be just over 100% compared with the existing garage. The appellant has not put forward any alternative calculations or sought to contest the figures presented by the Council.
8. Whilst I have taken into account that the footprint of the existing garage would not be materially increased, the addition of a first floor would lead to a significant increase in the height of the building, compared with the existing. The effect of all the external changes, including the external staircase and roof form would result in a much bulkier and larger building, compared with the existing garage.
9. Taking all these factors into account and having regard to Policy QP5 of the Local Plan and the Framework, it is my view that the proposed extension would be a disproportionate addition to the original garage building and would therefore be inappropriate development. I attach substantial weight to this harm, by reason of inappropriateness, in accordance with local and national policy.

Openness

10. Although views of the enlarged building would be limited from outside of the site, the increased height and massing of the outbuilding would be clearly visible from close to the entrance to the site, along Jobs Lane. This would be as a result of its increased height and its roof form together with the external alterations including the external staircase. The proposal would therefore result in an impact on the openness on the Green Belt, in both spatial and visual terms, through the increased bulk and massing of the outbuilding as proposed to be extended. The extension would therefore also result in some harm to the openness of the Green Belt. However, given the limited places where the proposal would be seen together with other development in the vicinity, I attach moderate weight to this harm.

Character and Appearance

11. There are a variety of building styles along Jobs Lane with some development, including garages and outbuildings, being sited close to the road frontage and some set further back. The garage as proposed to be extended would become a much more substantial building than existing but would be in keeping with the very modern design of the main building, including its roof form.
12. I consider that, although standing apart from the main house, it would be in keeping with the character and appearance of the main dwelling and would appear ancillary in scale and form. Given the variety of built forms along Jobs Road, with some development close to the road frontage, I do not consider that it would detract from the varied character and appearance of the local area. There would be no conflict in this respect with Policy Q3 of the Local Plan and guidance within the Borough Wide Design Guide and the Framework and in particular Section 12, all of which, amongst other matters seek a high quality of design which respects the local context.

Other Considerations

13. I have found that the proposal would not harm the character and appearance of the local area and there would be no harm to the amenities of surrounding neighbours. Matters relating to the protection of trees and ecology have also been appropriately and satisfactorily addressed, and were no other matters of concern, and planning permission were to be granted, these matters could be further addressed through the imposition of appropriate conditions. However, a high standard of design and a design solution which respects the amenities of existing and future occupants as well as the local environment is to be expected in accordance with national and local plan policies. The absence of any other harm does not provide weight in favour of the proposal but is neutral in my overall assessment. Similarly, the absence of objections from neighbours and the Parish Council weighs neutrally in my assessment.
14. The appellant has set out that the intention has been to reuse the existing building rather than erect a new building in order to be more sustainable, and in addition the proposal would address the physical shortcomings with the existing building which need to be rectified. Whilst the re-use of existing buildings is to be encouraged the weight in support is heavily modified in this instance given the scale and nature of the enlargement and alterations of the building, as proposed.
15. The proposed extension would improve the standard of accommodation to enable home working. However, there is no information before me to suggest that this could not be achieved in an alternative manner, and this would therefore only provide very limited weight in support of the proposals.
16. The appellant has contended that there would be no conflict with the five stated purposes of the Green Belt as set out in Section 13 of the Framework. However, the appeal site is already in the Green Belt and paragraph 142 of the Framework advises that the essential characteristics of Green Belts are their openness and permanence. No weight can therefore be added in support on this matter.

Planning Balance and Conclusion

17. The proposal would be inappropriate development within the Green Belt and would harm openness. In accordance with the Framework, substantial weight should be given to any harm to the Green Belt. Even taken together, the other considerations put forward provide little support for the proposal. Therefore, they do not outweigh the harm to the Green Belt and 'very special circumstances' do not exist. Therefore, the proposed extension to the garage would not accord with the development plan and there are no other material considerations to outweigh that finding.
18. For the reasons given above, the appeal should not succeed.

L J Evans

INSPECTOR