



Appeal Decision

Site visit made on 7 November 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/T0355/W/24/3345414

Hill Bury, Halls Lane, Waltham St. Lawrence, Reading RG10 0JD

- 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 & Mrs M Gleave against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 23/02680
 - The development proposed is a single storey side extension with undercroft, replacement roof, raising of the ridge, 1no. front dormer, 1no. side dormer, 4 no rear dormers, relocation of front entrance with canopy, alterations to fenestration, extension of the existing patio, air source heat pumps, new front boundary treatment and hardstanding and enlargement of the existing access following the demolition of the existing elements.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the revised description of development as provided on the appellant's appeal form and the Council's decision notice.

Main Issues

3. The main issues are: (i) whether the proposal is 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) whether the proposal would conserve or enhance the character or appearance of the Waltham St. Lawrence Conservation Area; and (iv) would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether the Proposal is Inappropriate Development

4. Policy QP5 of the Borough Local Plan, 2013 – 2033 (LP) sets out the approach to development in the Green Belt. I am satisfied that this policy is in broad conformity with the Framework. The Framework establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions.

5. One such exception, set out within paragraph 154(c) 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. Neither the Framework, nor LP Policy QP5, define a 'disproportionate' addition and this is therefore a matter of planning judgement. In this instance, the Council has indicated that the original building had a floorspace of 40 square metres and has provided a plan showing the layout at the time. The fact that it may not have been a standalone dwelling at that point is irrelevant with regards to Green Belt policy.
6. The appellant has contested the Council's assessment of the original floorspace, and has suggested that the figure was 85 square metres in 1974 following the addition of a kitchen and bathroom. Based on the historic plans before me, it is clear that the original building must have had a floorspace that was substantially less than 85 square metres. Again, using the appellants own figures, the floorspace of the dwelling following the proposed extensions would represent an increase of 103 square metres over and above the existing floorspace.
7. On that basis, even if I were to conclude that the development would extend the existing dwelling by a fairly modest amount, and taking account of the proposed demolition work, I simply cannot come to any conclusion other than that the works would represent a disproportionate extension in terms of floor area. Based on the plans before me, it logically follows that the increase in volume, over and above that of the original building, would also be disproportionate. As such, the proposal would represent inappropriate development in the Green Belt.

Openness

8. In terms of spatial openness, I recognise that the footprint of the dwelling would be reduced slightly as a result of the proposed works, and that an existing car port would be removed. However, the development would still increase the building's volume to a limited extent.
9. Of greater importance in this case is the impact upon visual openness. At present, the existing dwelling is a fairly modest affair in terms of size, being a single storey bungalow. It is clear from the approved plans that the proposed extensions would add quite a bit of height to the dwelling, particularly in terms of the roof space which would include dormer windows. In my view, the added height and bulk would provide the impression of a much more imposing and significant structure which would clearly impact on openness. Furthermore, the dwelling is highly visible from the street and so the impact on visual openness would be readily apparent.
10. Nevertheless, given that the appeal only involves extensions to a single dwelling, the overall harm to openness would be limited.

Conservation Area

11. The appeal site is located within the Waltham St. Lawrence Conservation Area. From the evidence before me, and from what I saw when I visited the site, the significance of the Conservation Area, in so far as it is relevant to this appeal, is derived from the value of the development of the village, and the architectural styles and tastes of the time. It has an aesthetic value due to the

appearance of the buildings that comprise the Conservation Area. The existing dwelling, when considered in isolation, does not have the same historic appearance or architectural detailing of many of the other buildings in the village. However, within the immediate vicinity of the appeal site, the grass verges on either side of the road do make a positive contribution by increasing the spaciousness and verdancy of the surrounds.

12. Notwithstanding the impact on the openness of the Green Belt that I have already identified, I do not find that the increased mass of the dwelling would either enhance the dwelling's appearance, or result in harm. Indeed, I note that many of the buildings nearby are of a similar size. However, part of the proposal involves reducing the width of the existing grass verge and replacing the low boundary wall with estate fencing. In my view, even with additional planting, the removal of part of the grass verge would result in harm by eroding the existing spacious and verdant character of the area. In addition, the estate fencing would be seen as an odd design feature in this area, and it would therefore appear incongruous and out of keeping in the context of surrounding properties. As a result, the proposed works to the boundary of the property would lead to clear and obvious harm.
13. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this instance, due to the limited scale of the development, the harm would be relatively localised. The proposal would have a negative effect on the significance of a designated heritage asset and would result in 'less than substantial harm'. In these circumstances, the Framework requires that this harm must be weighed against public benefits. Great weight must be given to a designated heritage asset's conservation and any harm to its significance requires clear and convincing justification.
14. In this instance, the development would not provide a net increase in housing numbers or enhance character and appearance. As such, the benefits appear to be wholly private in nature by providing the appellant with increased living space. I am therefore satisfied that there are no public benefits that would outweigh the less than substantial harm I have identified. The proposed development would therefore fail to preserve or enhance the character or appearance of the Conservation Area and would result in harm to its significance. This would fail to satisfy the requirements of the Act and the relevant aspects of the Framework. The proposal would also conflict with LP Policies HE1 and QP3, the relevant aspects of which seek to protect designated heritage assets and ensure that development is of a high quality design. There would also be conflict with the Borough Wide Design Guide Supplementary Planning Document, which in part, has similar aims.

Other Considerations

15. The appellant has provided some details of other extensions that have been permitted in the village. However, I do not have the full details of these cases before me, including the size of the original buildings, or whether other considerations were taken into account. Furthermore, even if those examples are comparable to the appeal scheme before me, this does not justify departing from Green Belt policy in this instance. In any event, irrespective of the identified harm to the Green Belt, I have also found harm to the

significance of the Conservation Area, which in itself, would be sufficient to dismiss this appeal. The highlighted developments are therefore not directly comparable to the appeal scheme before me.

16. The appellant has also set out that the existing dwelling could be extended through the use of permitted development rights. While this might be the case, there are no firm proposals before me, and because of the lack of any detail or certainty, I give this issue very limited weight.

Other Matters

17. The third reason for refusal relates to land ownership. It is the Council's position that the Highway Authority should have been specifically notified of the original application. The appellant's evidence seems quite persuasive in this regard, particularly the 1974 Deeds which show that the boundary of the property extends up to the road. In any event, even if the Highway Authority did own part of the verge area, the lack of notification is not in itself a sufficient reason to invalidate an application. In this instance, the Highways Authority responded to the application and so it is clear that they were aware of it and were not disadvantaged.

Conclusion

18. 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. I have also found harm to a designated heritage asset.
19. When considered in combination, the identified harm to the Green Belt and the Conservation Area is not outweighed by other considerations. As such, very special circumstances do not exist and the proposed development conflicts with LP Policy QP5 and the Framework. For this reason, the appeal is dismissed.

C Butcher

INSPECTOR