



Appeal Decision

Site visit made on 9 December 2024

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2025

Appeal Ref: APP/T0355/W/24/3349923

Church Farm Barn, Halls Lane, Waltham St Lawrence, Windsor and Maidenhead, 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 Alaster Dibbo against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/01355.
 - The development proposed was described as: "Construction of garage."
-

Decision

1. The appeal is allowed and planning permission is granted for construction of garage at Church Farm Barn, Halls Lane, Waltham St Lawrence, Windsor and Maidenhead, Reading RG10 0JD in accordance with the terms of the application, Ref 24/01355, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matter

2. A revised National Planning Policy Framework (the Framework) was issued on 12 December 2024. In the specific circumstances of this appeal, there is no need to invite further comments on the revisions from the Council or the appellant, as they do not affect policies pertinent to this appeal.

Main Issue

3. The main issue is whether the proposal is inappropriate development for the purposes of the Framework and the development plan.

Reasons

Inappropriate development

4. The appeal site comprises a long rectangular plot containing the Grade II Listed barn¹ known as Church Farm Barn, now converted to a dwelling. The site also contains a pitched roof garage building and has vehicular access from Halls Lane via a long shared driveway.
5. The appeal site is also within the Metropolitan Green Belt and is adjacent to but outside of the settlement boundary of Waltham St Lawrence. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

¹ Historic England Official List Entry Ref: 1319415

6. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate unless certain exceptions apply, one of which 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 proposed garage would be sited immediately alongside the existing garage, and it is common ground between the main parties that it can be assessed as an addition to it. Based on the submitted evidence, it does not appear that the existing garage has been extended beyond its original form.
7. Policy QP5 of the Borough Local Plan 2022 (BLP) is consistent with the Framework insofar as it states that the Green Belt will be protected against inappropriate development. The Council advises that over a number of years, it has generally and consistently applied a 50% floor area increase as a starting point, or guideline, when considering whether development types such as the appeal proposal amount to disproportionate additions. The main parties agree that the proposal would comprise a quantitative increase of approximately 54% beyond the original garage. Based on the submitted evidence and following a site visit, this calculation appears to relate to ground floor floorspace, or what could otherwise be termed as footprint.
8. Neither the Framework nor BLP Policy QP5 provide a definition of "disproportionate additions". Whether the proposal amounts to a disproportionate addition in size over and above the original garage building is ultimately a matter of planning judgement. Additionally, the Framework's reference to "size" can relate to matters such as height and volume, as well as footprint.
9. From a visual perspective, the proposed garage would have a similar eaves height to the existing garage alongside it, but would have a significantly lower maximum height due to the provision of a crown roof form. The proposal would therefore appear as a modest and subordinate addition to the taller pitched roof garage, despite its footprint being slightly greater than half that of the existing garage. The additional built form would be sited immediately adjacent to the existing building and the western site boundary, which would further limit the visual impact and spread of development.
10. My attention has been drawn to a recently dismissed appeal² elsewhere in the Borough, whereby the Inspector found that the absence of a specific threshold did not imply support for the scale of additions proposed under that appeal. Whilst the plans for that scheme are not before me, the decision letter indicates that the increase in floorspace as a proportion of the existing building was significantly greater than that of the current appeal proposal. I have therefore not found this example to be a useful comparison to the current scheme before me.
11. In the specific circumstances of this appeal, I have found that the proposed garage would not result in a disproportionate addition to the original garage building. Therefore, the proposal would not be inappropriate development in the Green Belt and thus does not conflict with Policy QP5 of the BLP and the Framework.

² APP/T0355/D/23/3316727 - Cleeve, Brayfield Road, Bray

Other Matters

12. The appeal site lies within the Waltham St Lawrence Conservation Area (CA), near to the village centre. The eastern and southern boundaries of the site adjoin the grounds of the Grade II* Listed Church of St Lawrence³, which is also within the CA.
13. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention be paid to the desirability of preserving or enhancing the character or appearance of a CA. Having regard to my observations on site, the significance of the CA as a whole is derived from the range and quality of historic and traditional buildings, townscape details and trees and open space, that collectively tell of the village's historic context.
14. The proposed garage would be subservient to the existing garage. Whilst it would be visible from some surrounding vantage points, it would be well contained within the backdrop of existing buildings and of sufficiently modest and functional scale and appearance to avoid any harm to the significance of the CA. The character and appearance of the CA as a whole would be preserved and its significance as a designated heritage asset would not be harmed.
15. Section 66(1) of the Listed Buildings and Conservation Areas Act 1990 requires me to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. The Grade II* Listed Church of St Lawrence originally dates from the 11th Century and forms the historic central core of the village. The proposed garage would be of sufficient scale and separation distance, sited on the far side of the existing garage, such that it would not harm the special character of the Church. The proposal would therefore preserve the contribution that its setting makes to its significance.
16. The host Grade II Listed Church Farm Barn is of late 15th or early 16th Century origin and despite its conversion, its former agrarian form and purpose can still be appreciated. The proposed garage would be of sufficient scale and separation distance, including the intervening site boundary, such that it would not harm the special character of this LB. It would therefore preserve the contribution that its setting makes to its significance.
17. The site is also near the Grade II Listed Chantry Cottage⁴ which is of late 16th Century origin. The proposal would be of sufficient scale and separation distance, with intervening boundaries, to avoid harm to the special character of this LB, and would preserve the contribution that its setting makes to its significance.
18. The proposal's location is also within an area of archaeological significance, leading to a possibility of damage to archaeological remains by ground disturbance. I am however satisfied that this matter can be controlled by means of suitably worded planning conditions.

Conditions

19. A condition imposing the standard time limit for commencement (condition 1) is necessary, in the interests of certainty. I consider it necessary to impose a

³ Historic England Official List Entry Ref: 1117515

⁴ Historic England Official List Entry Ref: 1135840

condition to confirm the approved plans (condition 2), in the interests of clarity. I also consider it necessary to impose a pre-commencement condition requiring the submission of a programme of archaeological work (condition 3) and a pre-occupation condition to secure its compliance (condition 4), due to the proximity to the historic core of the village. I have amended the Council's suggested wording in the interests of precision and clarity.

Conclusion

20. The appeal proposal would not result in disproportionate additions over and above the size of the original building. As such, the proposal would not be inappropriate development in the Green Belt, as defined by Policy QP5 of the BLP and the Framework. The appeal should therefore be allowed.

R Cahalane

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Site Plan (Drawing No. PL_100); Proposed Block Plan (Drawing No. PL_101); Proposed Plans & Elevations (Drawing No. PL_200).
- 3) No development shall take place until a programme of archaeological work, informed by a Desk Based Assessment and including a Written Scheme of Investigation (WSI), has been submitted to, and approved by, the local planning authority in writing. The WSI shall include an assessment of significance and research questions, along with:
 - a) The programme and methodology of site investigation and recording
 - b) The programme for post investigation assessment
 - c) Provision to be made for analysis of the site investigation and recording
 - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e) Provision to be made for archive deposition of the analysis and records of the site investigation
 - f) Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.
- 4) The development hereby permitted shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition 3) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.