



Appeal Decision

Site visit made on 29 January 2025 by N Manley BA (Hons) MSc

Decision by S Edwards BA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th April 2025

Appeal Ref: APP/T0355/D/24/3351989

Hill Bury, 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 and Mrs M Gleave against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/01567/FULL.
 - The development proposed is described as a “Relocation of front entrance door with canopy, single storey side extension, replacement roof, raising of the ridge, 1no. front dormer, 1no. side dormer, 3no. rear dormers, alterations to fenestration and external finish, air source heat pumps, extension of the existing patio, hardstanding, following demolition of existing elements.”
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. A new version of the National Planning Policy Framework (the Framework) was published in December 2024. Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.
4. After the appeal was submitted, a separate appeal decision (APP/T0355/W/24/3345414), concerning a different proposal on the appeal site was issued. Both the appellants and the Council were given an opportunity to comment on this.

Main Issues

5. The appeal site is within the Green Belt and therefore the main issues are:
 - Whether the proposal constitutes inappropriate development in the Green Belt for the purposes of the Framework and development plan policies, and the effect it would have 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 for the Recommendation

6. The appeal site is a bungalow located on Halls Lane, a leafy and quiet residential road to the north of Waltham St. Lawrence. The bungalow sits to the south-west of the site, opposite the entrance driveway with its front and side elevation visible from the street scene. Located in the north-eastern corner of the appeal site is a single storey garage which is largely obscured from the street scene by vegetation. Adjacent to this garage is a car port. The nearby dwellings around the appeal site vary greatly in architectural styles and age.

Whether inappropriate development in the Green Belt and effect on openness

7. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should only be permitted in very special circumstances. It also emphasises that any identified harm to the Green Belt must be given substantial weight. Paragraph 154 further clarifies that the construction of new buildings is generally considered inappropriate, with certain exceptions. One such exception, outlined in paragraph 154(c), allows for the extension or alteration of a building, provided it does not result in disproportionate additions over and above the size of the original building.
8. Policy QP5 of the Borough Local Plan (adopted 2022) (BLP) aligns with the Framework in its objective to protect the Green Belt from inappropriate development, stating in all instances national Green Belt policy will be applied to development in rural areas within the Royal Borough.
9. The Glossary to the Framework clearly defines the "original building" as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. This does not include any subsequent additions. The Council has presented evidence regarding the building's planning history. Plans from a 1952 application provide a reliable indication of the building as it existed on 1 July 1948, revealing that its original size was 39.92 m².
10. The appellants dispute this, arguing that the size should be measured at 85m², based on when the building first became a fully functional, separate residential home in 1974, coinciding with the site's designation as Green Belt land. However, this interpretation conflicts with the Framework, which explicitly defines the base point as the original building's size as it existed on 1 July 1948, regardless of when it became a separate dwelling or was designated as Green Belt land. Given the evidence before me, I agree with the Council's position that the original building measured 39.92m².
11. The proposal would significantly alter the building's scale and form by raising the ridge height, adding a second storey, and incorporating dormer windows. These changes, combined with previous alterations and extensions to the property, would create a structure that is excessive in scale and mass compared to the original building. The cumulative impact of its size, bulk, and mass, when considered alongside the existing extensions, would constitute disproportionate additions over and above the size of the original building.

12. The appellants argue that demolishing the rear extension and carports would reduce the overall increase in size, resulting in only an 8% volume increase, but this is compared with the existing rather than the original volume of Hill Bury. Moreover, their own figures indicate a new total floor space of 182m², which, when compared to the original building's size of 39.92m² represents a significant enlargement. As a result, and despite the proposed demolitions, I have no doubt that the appeal scheme's cumulative floorspace, size, volume, scale, and mass would be excessive.
13. Paragraph 142 of the Framework states that the core objective of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belts being their openness and permanence. Additionally, openness encompasses both a visual and spatial dimension.
14. The development would increase the dwelling's height and width, increasing the bulk and massing when compared with the existing dwelling. Although the proposal includes demolishing an existing rear extension and carport to offset this, these existing structures are not particularly visible from the street. As a result, the development would introduce a built form which is more visible than present, diminishing the site's visual sense of openness. Given the property's position and orientation, this additional built form would be prominent from the street, causing harm both in spatial and visual terms. Furthermore, its inappropriateness would exacerbate harm to the Green Belt, conflicting with the Framework, to which I must attach substantial weight.
15. Consequently, the proposed development would represent disproportionate additions over and above the size of the original building, contrary to paragraph 154(c) of the Framework, and would harm the openness of the Green Belt. As such, it constitutes inappropriate development in the Green Belt, conflicting with both the Framework and Policy QP5 of the BLP.

Other Considerations

16. Paragraph 153 of the Framework states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
17. I have had regard to the personal circumstances of the appellants, including their long-term residence in the property, desire to remain in the area with their young family, and need for more space. They believe the proposed expansion would create a more balanced site with a usable rear garden. However, this is largely a private matter and does not justify granting planning permission as it would not outweigh the identified harm to the Green Belt. I therefore have given very limited weight to these considerations.
18. The appellant cites previous consents for extensions dating from 1995, as well as developments at nearby properties and within the wider Borough, claiming they set a precedent. They also note that the appeal property is the only bungalow on Halls Lane. However, I have not been provided full details of these cited cases, especially in relation to the applicable development plan in place at the time these would have been considered. As a result, I am unable to make any relevant comparisons between these and the appeal before me. In any event, I have formed my own opinions on the appeal proposal after reviewing the evidence and making

my own observations. The existence of other permitted extensions nearby, or the fact that the appeal property is the last remaining bungalow on the road, do not convince me to approve a development that would cause harm to the Green Belt and be contrary to policy.

19. Another position put to me is that, due to the dwelling's relatively small size, a percentage-based assessment of the proposal would yield higher figures than extensions on larger properties. The appellants argue that this does not necessarily correspond to a proportionate level of harm. Likewise, I acknowledge the comments from a previous Inspector in appeal APP/T0355/W/24/3345414, which indicated that the harm to openness would be limited as the appeal property consists of a single dwelling. Nevertheless, the identified harm has not been assessed purely on numerical grounds, and policy dictates that any harm to the Green Belt must be given substantial weight.
20. In addition, the appellants contend they should not be penalised for circumstances beyond their control, namely, the conversion of the original ancillary accommodation into a private dwelling, which was later extended to create a family home. Whilst I have sympathy with the appellant's position, the fact that the dwelling was originally small does not, in itself, justify extensions that cause harm to the Green Belt. Planning decisions must be made based on current policy considerations.
21. The appellants also argue that various single storey extensions could be carried out under permitted development rights, which, it is argued, could result in greater harm to the Green Belt than the appeal proposal before me. However, I have been provided with limited information as to what these proposed extensions would look like, I cannot be certain that this fallback position would be more harmful than the appeal proposal. Accordingly, I have given this argument little weight.
22. Finally, the absence of harm in relation to the amenity of neighbouring properties or in relation to the character and appearance of the area or ecology and trees are neutral matters which do not weigh in favour of the proposal.

Other Matters

23. The appeal site is located within the Waltham St Lawrence Conservation Area (WSLCA). The special interest of the WSLCA stems from its traditional village atmosphere, highlighted by a historic church, a public house, and a notable tree. Additionally, the area is characterised by mature trees and vegetation that contribute to its verdant quality, along with a variety of dwellings that showcase different architectural styles and periods. I have had regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. No concerns or objections have been raised by the Council or other party regarding the effect of the development on the WSLCA. Based on the evidence before me, and my observations on site, I see no reason to disagree with this conclusion and I am satisfied the proposal would preserve the significance of the WSLCA.

Conclusion and Recommendation

24. The proposal would cause harm to the Green Belt by reason of inappropriateness and reduction in openness. Paragraph 153 of the Framework specifies that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless potential harm to the Green Belt is

clearly outweighed by other considerations. The other considerations in this case, either individually or cumulatively, do not clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances needed to justify the development do not exist. As such, the appeal scheme conflicts with Policy QP5 of the BLP and the Framework.

25. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

N Manley

APPEAL PLANNING OFFICER

Inspector's Decision

26. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

S Edwards

INSPECTOR