



Appeal Decision

Site visit made on 1 July 2025

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2025

Appeal Ref: APP/T0355/W/24/3352791

Shottesbrooke Hill Farm, Drift Road, Maidenhead SL6 3ST

- 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 T Axten against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 23/02714/FULL.
 - The development proposed is the construction of a permanent rural workers dwelling with associated parking and access.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a permanent rural workers dwelling with associated parking and access at Shottesbrooke Hill Farm, Drift Road, Maidenhead SL6 3ST in accordance with the terms of the application, Ref 23/02714/FULL, subject to the conditions in the attached schedule.

Main Issues

2. The appeal site is located within the Green Belt and therefore the main issues are:
 - 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;
 - The effect of the proposal on the openness of the Green Belt;
 - Whether the proposal would comply with the Council's climate change strategy; 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

Whether Inappropriate Development

3. Paragraph 153 of the Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 also states that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

4. Subject to a number of exceptions, as listed in Paragraph 154, the Framework makes it clear that the construction of new buildings should be regarded as inappropriate in the Green Belt. As the proposal is for a dwelling, exception (a) under Paragraph 154 is not relevant as it covers buildings for agriculture and forestry. Although it is proposed to be occupied in connection with an agricultural use, the proposed building is not for an agricultural use.
5. Although I note that the supporting text of Policy QP5 of the Borough Local Plan 2013-2033 (the BLP) refers to agricultural and forestry worker's dwellings, the policy itself follows the Framework and does not provide any exception for such dwellings.
6. As such the proposal before me would not meet any of the exceptions set out in the Framework and would be inappropriate development in the Green Belt.
7. The proposal, by way of being inappropriate development within the Green Belt, would conflict with BLP Policy QP5 and Section 13 of the Framework as outlined above.

Openness

8. Paragraph 142 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and permanence. Openness has both a spatial and visual aspect, and an adverse impact to either can harm the openness of the Green Belt as a whole.
9. The appeal site currently comprises a small area of an open field. It is located adjacent to an existing dwelling that is outside of the appellant's ownership. The appeal site contributes to the openness of the wider Green Belt as a result of its undeveloped nature. The location, scale and massing of the proposed dwelling would adversely impact on the spatial and visual aspects of this openness. The provision of a long driveway, a parking and turning area, boundary treatments would further contribute to the erosion of openness at this site. The private garden would also likely result in the proliferation of residential paraphernalia, further harming the visual openness of the area.
10. I recognise the scale of the proposal in relation to the Green Belt as whole, as such I find that the harm to its openness would be more limited. However, the Framework, under Paragraph 153, is clear that any harm to the Green Belt should be given substantial weight.
11. By harming the openness of the Green Belt, the proposal would conflict with BLP Policy QP5 as well as Section 13 of the Framework, including Paragraph 153 as noted above.

Climate Change Strategy

12. Policy SP2 of the BLP sets out that developments have to demonstrate how they incorporate measures to adapt to and mitigate climate change. It goes on to set out a number of measures that should be included and documents that provide guidance. Since the determination of the planning application the Council's Interim Position Sustainability Position Statement has been superseded by the Sustainability Supplementary Planning Document (the SPD).

13. The SPD sets out detailed guidance for developments with an aim to contributing towards carbon reduction. The SPD goes beyond the requirements of Building Regulations but does not set out a well-reasoned and robustly costed rationale that demonstrates development would remain viable, and that any impact on housing supply and affordability would be in accordance with the Framework. As such the SPD goes beyond the requirements of the Local Energy Efficiency Standards Update Written Ministerial Statement.
14. The appellant has not provided a Sustainability and Energy Statement and has only briefly set out that the proposed dwelling would comply with Part L of the Building Regulations as well as providing an air source heat pump and solar panels. This does not demonstrably meet the requirements of the SPD. However, whilst the SPD is a material consideration, in this instance for the reasons set out above, the proposal's conflict with this guidance is not unacceptable. A Sustainability and Energy Statement is not necessary in this instance and, subject to suitably worded conditions, the proposal would comply with the requirements of the SP2.
15. The proposal would, through following Part L of the Building Regulations and the provision of low carbon technology, meet the requirements of the Council's climate change strategy. The proposal therefore complies with BLP Policy SP2 as set out above.

Other Considerations

16. The Framework, under Paragraph 84, requires there to be an essential need for a rural worker to live permanently at or near their place of employment. The Planning Practice Guidance expands upon this assessment setting out that considerations could also include whether there is confidence that the enterprise will remain viable for the foreseeable future.
17. Although there is no requirement, through the local or national policies, for the submission of three years of financial documents, it is within the scope of the Framework and PPG to request such documents to support the assessment under Paragraph 84.
18. I recognise the significant works approved and carried out to accommodate the intensification of the agricultural use. I also note that there has been an increase in cattle on site since the Council's visit. The submitted evidence further shows that the business has operated under the appellant since 2014 and has been profitable through this time. This goes some way to suggest that the farm business is viable for the foreseeable future.
19. Typical prices and rates have been given from the John Nix Pocketbook for Farm Management. These show that expected profits per calf following a standard farming method. The appellant sets out against these that their non-standard farming methods are cheaper and this suggests that the gross margin for each calf is greater than that set out within the book.
20. However, no substantive evidence has been provided as to the farm's finances or business records such as livestock movements, sales and purchase. I cannot, therefore, be certain that the incomings and outgoings are as suggested.

21. While the evidence before me is not complete, when taken with my observations on site, it is sufficient to demonstrate that the farm is a viable business. I am also content from the information before me that there is a need for a worker to be within sight and sound of the livestock at all times. This is for their safety, welfare, and the security of the site.
22. An essential need for a rural worker to live permanently at, or near, their place of employment has been demonstrated. Given the appeal site is within the Green Belt and no alternative nearby locations would be practical, I afford very substantial weight in support of the scheme to this matter. I additionally attach substantial weight to the proposal's contribution to site security and animal welfare.

Green Belt Conclusion

23. The proposal would amount to inappropriate development in the Green Belt, and further harm to the Green Belt would be caused as a result of loss of openness. These matters carry substantial weight. I have attached very substantial weight to the consideration in support of the proposal. I find that the other considerations in this case clearly outweigh the harm that I have identified. Looking at the case as a whole, I consider that very special circumstances exist which justify the development.
24. Thus, I find overall compliance with BLP Policy QP5 as very special circumstances have been demonstrated. I also find compliance with the Framework, which seeks to ensure isolated dwellings in rural locations are provided where there is an essential need, and that any harm to the Green Belt is clearly outweighed by very special circumstances.

Other Matters

25. A significant number of appeal decisions have been provided by both parties in relation to the matters revolving around both of the Council's reasons for refusal. I have not been provided with the full details and facts of these decisions, and on the decisions before me it appears some are substantially different to the proposal in context and nature. Whilst other planning and appeal decisions are capable of being material considerations, all decisions turn on their own particular circumstances, based on the facts and evidence before those decision-makers at the time. Therefore, I cannot make any meaningful comparisons to the appeal scheme before me, which I must consider on its own merits.

Conditions

26. I have had regard to the conditions suggested by the Council and the advice on planning conditions set out by the Framework and the Planning Practice Guidance. In the interests of clarity and enforceability, I have made some changes to the wording.
27. For certainty, I have set out the timescale for the commencement of development. A condition is also necessary, for certainty and enforceability, requiring that the development is carried out in accordance with the approved plans.
28. As the appeal site is located within the Green Belt, a condition is required to restrict the occupation of the dwelling to rural workers and their dependants. A further condition is necessary restricting some of the permitted development rights set out by the Town and Country Planning (General Permitted Development)

Order 2015 as any extensions or outbuildings under these rights could adversely affect the Green Belt and its openness.

29. In the interests of the character and appearance of the surrounding area, details of any external materials are required. A further condition is necessary, to protect the character and appearance of the surrounding area and to ensure drainage of surface water, securing the submission of hard and soft landscaping. Given this condition, a further one controlling hard surfaces across the site is not needed.
30. Conditions are needed to secure biodiversity net gains and in the interests of protected species. I have reworded the condition related to external lighting so that it is only engaged should any external lighting be sought.
31. So as to protect highway safety around the appeal site, a condition is necessary requiring the submission of appropriate bin storage and collection points.
32. In the interests of complying with the Council's climate change strategy and BLP Policy SP2, a condition is necessary to provide photovoltaic panels and an air source heat pump.

Conclusion

33. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

Samuel Watson

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: 22-16-05 Rev D, 22-16-06 Rev C 22-16-SLP2
- 3) The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture (as defined in section 336 of the Town and Country Planning Act 1990) or in forestry, or a widow or widower of such a person, and to any resident dependants.
- 4) No development above slab level shall take place until details of the materials to be used on the external surfaces of the development have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
- 5) No development above slab level shall commence until full details of both hard and soft landscaping works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved

details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.

- 6) No external lighting, including floodlighting, shall be provided until details have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out, and maintained, in accordance with the approved details.
- 7) The development hereby approved shall be implemented strictly in accordance with all of the measures stated in section 6 of the Biodiversity Net gain Assessment report (Windrush Ecology, October 2023). All biodiversity features shall be installed on site prior to first occupation and retained as such thereafter.
- 8) The dwelling hereby permitted shall not be occupied until the locations and specifications of biodiversity enhancements have been submitted and approved in writing by the Local Planning Authority. The biodiversity enhancements shall be installed as agreed prior to occupation.
- 9) New hard surfaces at the site shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
- 10) No part of the development shall be occupied until a refuse bin storage area and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.
- 11) Prior to occupation of the residential development, further details of the Air Source Heat Pumps shall be submitted to the Local Planning Authority for approval. The assessment should be in accordance with the Microgeneration Installation Standard MCS020.
- 12) Prior to occupation of the residential development, details of the photovoltaic panels shall be submitted to and approved in writing by the Local Planning Authority.
- 13) Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any incidental building within the curtilage) of or to any dwellinghouse the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.