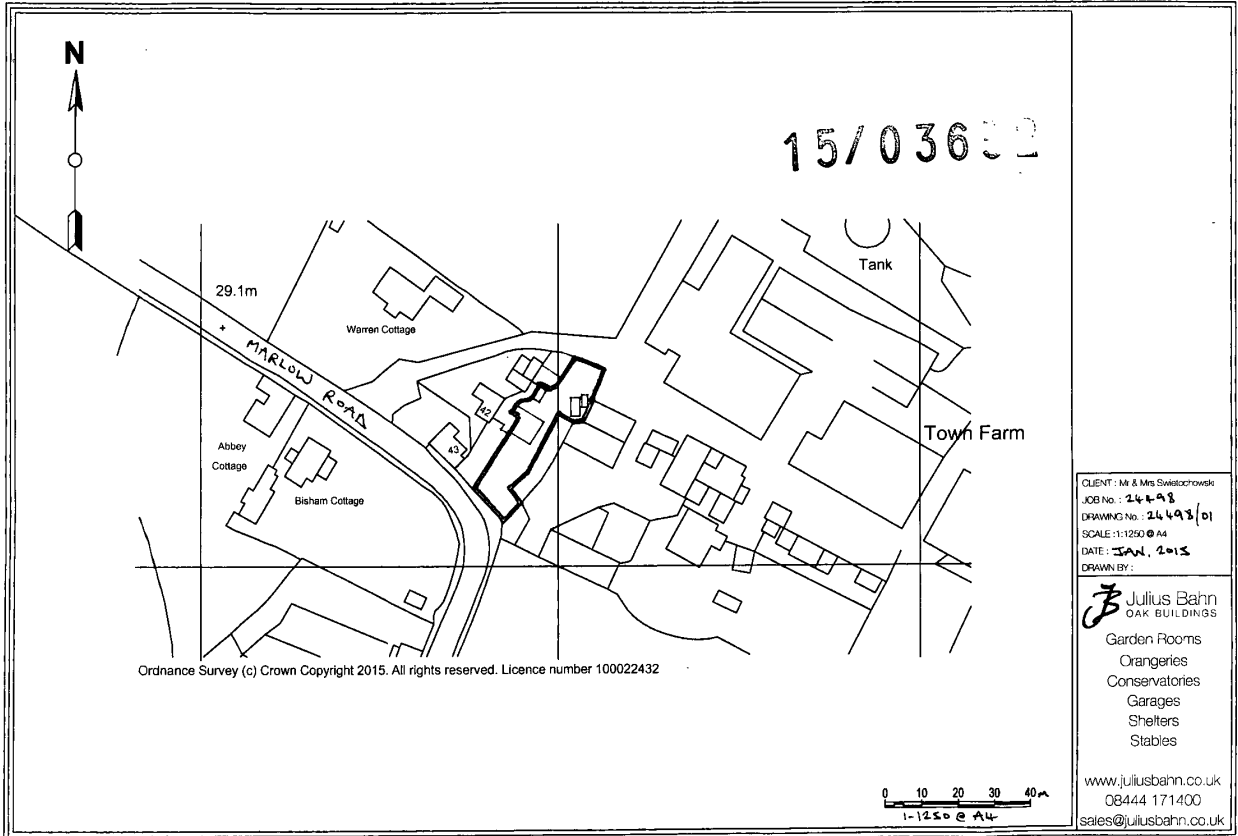
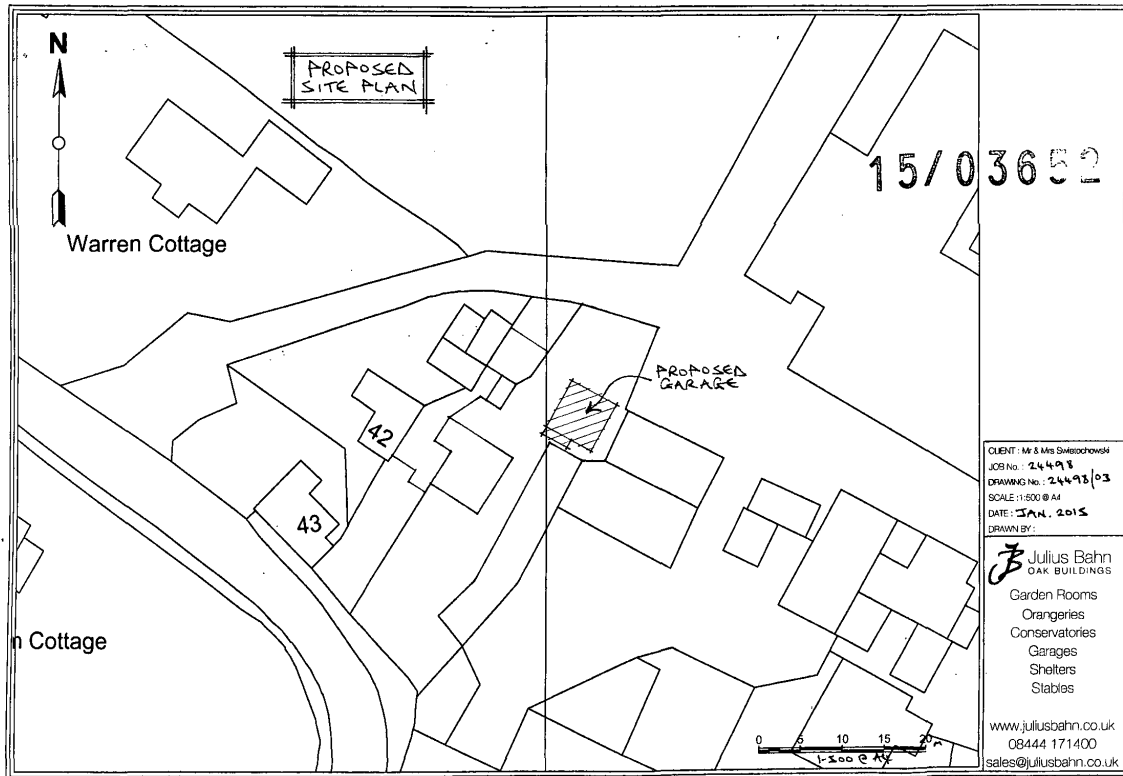


Appendix A



Appendix B



Appendix C

NORTH ELEVATION    SOUTH ELEVATION    EAST ELEVATION    WEST ELEVATION    PLAN

EXISTING GARAGE TO BE DEMOLISHED

15/03652

NORTH ELEVATION    SOUTH ELEVATION    EAST ELEVATION    WEST ELEVATION    PLAN

EXISTING SHED TO BE DEMOLISHED

RECEIVED  
- 9 OCT 2015  
PLANNING

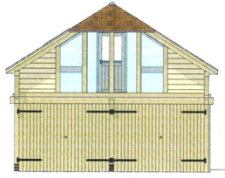
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DRAWING NO.: 24493/04  
SCALE: 1:100  
DATE: JAN. 2015  
REVISION:  
DRAWN BY: JWS.

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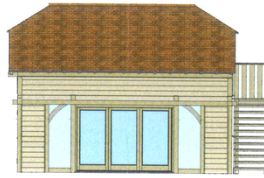
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1:100 @ A3

Appendix D

Scale = 1:100 @ A3



North Elevation



West Elevation



South Elevation

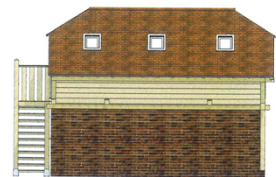
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Plan



First Floor Plan



East Elevation

15/03652

Proposed

REG. No. 24493/06



Oak Framed Garage/Studio 6.60 x 6.14m

Dr & Mrs Swietochowski  
Scale - 1:100 Date: 06/10/15

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## Appeal Decision

Site visit made on 8 June 2015

by **Michael Evans BA MA MPhil DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 July 2015

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**Appeal Ref: APP/T0355/D/15/3011984**

**40 Bisham Village, Marlow Road, Bisham SL7 1RR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Dr John Swietochowski against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
  - The application Ref 15/00257 was refused by notice dated 19 March 2015.
  - The development proposed is the demolition of an existing garage and shed buildings and replacement with an oak framed detached garage with home office space above.
- 

### Decision

1. The appeal is dismissed.

### Main issue

2. The main issue in this appeal is whether the proposed development amounts to inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (The Framework) and, if so, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

### Reasons

#### *Inappropriate development*

3. The appeal concerns a residential property that is located within the Green Belt where Government policy in the Framework identifies development that would not be inappropriate. The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces would not be inappropriate. The extension or alteration of a building is also not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. Inappropriate development should not be approved except in very special circumstances, which 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. Policy GB2 of the Royal Borough of Windsor and Maidenhead Local Plan, among other things, seeks to prevent the replacement of existing buildings in the Green Belt if the new development would have a greater impact on the openness of the Green Belt.

5. The Appellant suggests that based on case law concerning Sevenoaks District Council and dating from 1997 that the proposed outbuilding should be treated as an extension for the purpose of applying Green Belt policy. A generalised reference is also made to appeal decisions where outbuildings have been treated as extensions, as well as to Council's adopting a similar approach.
6. Nevertheless, in this instance it seems to me that the fact that existing buildings would be removed to accommodate it, means that the development clearly falls into the category of a replacement building. Furthermore, there would, in my view, also be a significant gap between it and the host dwelling.
7. In any event, I have not been provided with the necessary information regarding the extent of the original dwelling and any subsequent enlargement of it that would enable me to assess the proposal against the relevant test for extensions in the Framework anyway. I shall therefore consider the proposal as a replacement building.
8. Whether a replacement building would be materially larger involves a consideration of relative sizes and other matters such as its siting or visibility are not relevant. In this regard I consider that the floor areas and heights provided by the Council, which have not been disputed, provide a useful indication. The fairly modestly sized wooden garage and shed to be replaced have respective floor areas of 14sq m and 5.4sq m, with heights of 2.5m and 2.2m. The new pitched roof, partly hipped building with an upper floor would, on the other hand, have a height of 5.5m, with a floor area of about 61sq m and footprint of 39sq m.
9. As a result the new building would be more than twice as high. Furthermore, the floorspace would be more than three times larger and the footprint about double those areas of the existing buildings taken together. It is clear from these statistics, as well as consideration of the submitted drawings and the existing buildings at my site visit, that the new building would be substantially bigger and, therefore, materially larger than those to be replaced taken together.
10. The proposal would therefore constitute inappropriate development in the Green Belt. Under the terms of the Framework inappropriate development is by definition harmful to the Green Belt and such harm must be accorded substantial weight.

### ***Openness of Green Belt***

11. The openness of the Green Belt results from an absence of built development. The noticeably greater height and footprint of the new structure by comparison with the buildings to be replaced would result in significant additional built volume. In consequence, the openness of the Green Belt would be significantly reduced, regardless of matters such as the presence of other nearby buildings, the materials used, or the prominence of the building in the locality. It is explained in the Framework that the essential characteristics of Green Belts are their openness and permanence. As a result, the harm in this respect should be afforded a significant degree of weight.

### ***Other considerations***

12. The appeal site is located in the Bisham Village Conservation Area. The two storey dwellings in the terrace of three properties, including no. 40, are



relatively tall and imposing. There are also nearby farm buildings and domestic outbuildings, some of which are reasonably substantial. The new building would have relatively low eaves with the upper floor mostly in the roof. In addition the part hips would further limit its bulk. In consequence, I am not persuaded that the new building would appear unduly tall or bulky in its context.

13. The new building would be next to the side of a modern farm building. As a result it would not significantly limit views of the noticeably longer elevation visible from the access road into Town Farm. In any event, this and other farm buildings nearby reflect the rural character of the surroundings and are not, in my view, unsightly. The simple existing wooden sheds at no. 40, especially given their fairly modest scale, are not visually detrimental either. Although of an acceptable appearance in itself, the new building would not represent a visual benefit. As a result of these factors the character and appearance of the Conservation Area would be preserved but not enhanced.
14. There would be three rooflights in the side of the new building that would face towards the courtyard and annex at the attached dwelling, no. 41. However, these windows would be particularly small and at a relatively high level. These factors would significantly limit any overlooking so that there would be no undue loss of privacy at the neighbouring property. Given the distance from the boundary, the height and bulk of the new building would be insufficient to result in any undue reduction in outlook or overbearing effect at no. 41.
15. The proposal would therefore be acceptable in relation to the effect on the living conditions of the occupiers of the adjacent dwelling and on the Conservation Area. However, these merely neutral effects do not weigh positively in favour of the proposal.
16. It is claimed that the existing garage is too small to accommodate a modern car. However, no detailed evidence has been provided to demonstrate this and there is off road parking within the curtilage to the front of the garage. It is explained that the building would be used for various ancillary domestic purposes such as parking cars, storing tools and bicycles, keeping plants, as an office and to carry out hobbies such as painting.
17. However, there is nothing to show that this would remedy any significant deficiency in the accommodation that might, for example, prejudice continued residential use. Such matters cannot therefore be afforded other than fairly modest weight.
18. I note the absence of any objection from the Parish Council. Nevertheless, this is not, in itself, a planning benefit that might weigh in favour of the proposal.

### **Conclusion**

19. As a result of the above matters it is concluded that the harmful effects in respect of the Green Belt, to which substantial weight is attached, are not clearly outweighed by other considerations. There can, in consequence, be no very special circumstances and the proposal would conflict with the Framework policies in relation to the Green Belt.
20. There would also be conflict with development plan policy GB2. Even if I accepted the Appellant's view that this policy is inconsistent with the Framework, the scheme would still be contrary to Government policy anyway.

21. It is therefore determined that the appeal fails. In reaching this decision I have taken account of the views of local residents.

*M Evans*

INSPECTOR