

Appeal Decision

Site visit made on 28 November 2016

by M Brookes BA MSc MRTPI

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

Decision date: 05 December 2016

Appeal Ref: APP/X0415/D/16/3161139

**Silver Firs, Village Road, Whelpley Hill, Chesham, Buckinghamshire,
HP5 3RL**

- 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 Mr Steve Badcock against the decision of Chiltern District Council.
 - The application, Ref. CH/2016/0627/FA, dated 31 March 2016, was refused by notice dated 11 August 2016.
 - The development proposed is a roof alteration and dormer projections to existing outbuilding at rear.
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Decision

1. The appeal is dismissed.

Main Issues

2. The development proposed constitutes the extension of an existing outbuilding and the main issues are:
 - whether the extension would be inappropriate development in the Green Belt;
 - the effect of the extension on the character and appearance of the area.

Reasons

Whether inappropriate development

3. The National Planning Policy Framework (the Framework) sets out various forms of development that are not inappropriate in the Green Belt. These include the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building.
 4. Saved Policy GB2 of The Chiltern Local Plan (1997 as altered and consolidated in 2001, 2007 and 2011) (LP), which pre-dates the Framework, refers to allowing the limited extension of existing dwellings in the Green Belt.
 5. The appeal relates to a substantial outbuilding of brick construction with a crown roof at the end of the rear garden of the appeal property. The proposal is to create a fully pitched roof over the building within which four dormer windows would be constructed to serve new first floor accommodation. There is no evidence that the footprint of the original building has been increased and
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no increase is proposed as part of the appeal proposal. The addition to the size of the original building would therefore be limited to the increase in height and the infilling of the existing crown roof.

6. Although neither the appellant nor the Council has quantified the addition to the volume of the original building, having particular regard to the size of the original building below eaves level and to the pitched form of the proposed roof I am satisfied that the extension would not result in disproportionate additions over and above the size of the original building.
7. The extension would not therefore be inappropriate development in the Green Belt.

Character and appearance of the area

8. The Council has referred to the effect of the development on openness which the Framework identifies as an essential characteristic of Green Belts. However, the effect on openness is not a test to be applied to a proposal that is not inappropriate development.
9. LP Policy GB15 allows for the extension of ancillary non-habitable buildings within domestic curtilages within the Green Belt provided that they are both small and also subordinate in scale to the original dwelling. Such developments will be considered on their merits, principally of siting, design, external appearance, location in relation to the existing dwelling and its surroundings and the impact on the landscape rather than on specific Green Belt policy considerations.
10. Although no details have been provided about the scale of the original dwelling at Silver Firs, I am not satisfied that the existing outbuilding is subordinate to the original or even the existing dwelling and it certainly could not be considered to be small in terms of Policy GB15.
11. The outbuilding is within a garden enclosed by high close-boarded fences. However, it is located at the end the garden well away from the dwelling and close to the rear boundary beyond which is open countryside. The existing structure is a large and relatively tall building that is clearly visible from the adjacent countryside over the boundary fence.
12. The appeal proposal would further increase its height and prominence. Furthermore, because of its overall size, its construction of brick with a fully pitched and tiled roof and the inclusion of domestic style dormer windows, the extended building would have more of the scale, character and appearance of a dwelling than of a domestic outbuilding. In a location well away from the road, along which most nearby dwellings are sited, and close to open countryside, the extended building would appear most intrusive and incongruous and would be unacceptably harmful to the rural character and appearance of the area.
13. In this respect the extension would not represent good design. It would therefore conflict with one of the core principles in the Framework that planning should always seek to secure high quality design.

Other Matters

14. The extension would provide useful additional ancillary accommodation at the appeal property, but that benefit does not outweigh the harm it would cause and the proposal would conflict with the development plan when read as a whole.

Conclusion

15. The extension would not be inappropriate development in the Green Belt but would have an unacceptably harmful effect on the character and appearance of the area. For that reason and having regard to all other matters raised, the appeal is dismissed.

M Brookes

INSPECTOR