

Appeal Decision

Site visit made on 6 December 2016

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

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

Decision date: 20 December 2016

Appeal Ref: APP/J1535/D/16/3158393

The Farmhouse, Warlies Park Farm, Woodgreen Road, Waltham Abbey, Essex EN9 3SD

- 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 R Sideras against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0794/16, dated 22 March 2016, was refused by notice dated 13 July 2016.
 - The development proposed is the erection of an orangery extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether or not the proposal would be inappropriate development in the Green Belt;
 - the effect of the proposal on the character and appearance of the existing building and Upshire Conservation Area;
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, would this amount to the very special circumstances necessary to justify the proposal?

Reasons

Whether Inappropriate Development?

3. Policy GB2A of the Epping Forest District Local Plan Alterations 2006 (LP) states that planning permission will not be granted for an extension to a building in the Green Belt unless it is appropriate in that it is a limited extension to an existing dwelling. Paragraph 89 of the National Planning Policy Framework (the Framework) states that new buildings in the Green Belt will be inappropriate with the exception of specific cases. 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. The appeal building is a substantial detached dwelling which has been extended on a number of occasions. The Council and the appellant agree that some of those extensions were in place before 1948 and should, therefore, be regarded as part of the original building for the purposes of Green Belt policy. The Council
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has set out the overall dimensions of the proposed extension, but has not provided figures on the size of the original building or post 1948 extensions.

5. The appellant states that the original house had a floorspace of some 359sqm and that the 2006 and 2015 extensions total around 135sqm. The proposed orangery would have a floorspace of 60.65sqm, giving a total increase of some 196sqm or 54.5% of the original house. The appellant also states that around 90sqm of the additional floorspace is in the loft and basement and, therefore, would have no impact on the Green Belt. On this basis, the additional floorspace would amount to 106sqm or 29.5% of the original building.
6. However, the tests at paragraph 89 of the Framework and LP Policy GB2A are ones of 'size' rather than impact on the Green Belt. Whilst the additional basement floorspace would not add to the external volume of the building, it would add to its size. The additional loft floorspace involves raising the height of the roof of the building and the insertion of dormer windows. It, therefore, adds to the size of the building as well as its external volume.
7. Consequently, the overall increase in the size of the building, taking into account the loft and basement, should be considered. Whilst the Council has not produced guidance on what constitutes 'limited' or 'disproportionate' in this regard, I consider that an increase of more than half the size of the original building would be disproportionate. Therefore, the proposal would be inappropriate development in the Green Belt for the purposes of LP Policy GB2A and Framework paragraph 89. Paragraph 87 advises that inappropriate development is, by definition, harmful to the Green Belt.

Character and Appearance

8. The appeal property is locally listed and is, therefore, a heritage asset for the purposes of the Framework. Paragraph 131 requires the desirability of sustaining or enhancing the significance of heritage assets to be taken into account. Policy HC13A of the LP requires special consideration to be given to locally listed buildings. The appeal property is within the Upshire Conservation Area where LP Policies HC6 and HC7 require development to be sympathetic to the character and appearance of the Area, amongst other things, in terms of scale, height, layout and design details. LP Policy DBE1 sets out similar requirements for new buildings generally.
9. Although the appeal property has been the subject of extensive reconstruction works as well as previous extensions, it retains the formal composition of a nineteenth century farmhouse. The pre-1948 two storey addition is slightly recessed from the front and rear elevations of the main block, and the more recent single storey extension reads as a subservient wing. The proposed orangery would sit partly within the corner between the single and two storey additions at the southern end of the building. As such, it would be separated from the oldest part of the building and set well back from the principal elevation. Consequently, I consider that its siting would be appropriate.
10. The proposed extension would project beyond the end of the building by some 4.7m and to the rear by 3.7m. However, its eaves line would be set below the height of the ground floor window headers and well below the height of the single storey extension. Having regard to the overall length, depth and height of the existing building, I consider that the proposed extension would not appear overly bulky or dominant.

11. The orangery walls would mainly comprise fairly closely sub-divided glazed panels above a brick plinth, giving the structure a domestic scale. The eaves cornice and pyramid roof would reflect something of the formal composition of the hipped roof over the main block. Whilst limited information has been provided on the detailing of the orangery, had I been minded to allow the appeal, those details could have been controlled by condition. With this safeguard in place, I find that the appearance of the orangery would not be unsympathetic. Moreover, its appearance and siting would ensure that it would read as a subservient addition and allow the earlier parts of the building to be understood and appreciated.
12. The Conservation Area is extensive and takes in small pockets of development set within larger areas of agricultural land. The appeal property sits on the edge of one such pocket of development. The building is set within extensive grounds and is set back from Woodgreen Road behind a group of converted former agricultural buildings and well established boundary hedges. The proposed orangery would not extend beyond the established garden area and would not disrupt the pattern of buildings and open land within the Conservation Area. Moreover, public views of the two storey main building are very limited and the lower orangery would be glimpsed at best through the boundary hedge.
13. Consequently, I conclude that the proposal would not harm the character and appearance of the existing building or the Conservation Area. As such, it would comply with LP Policies Policy HC13A, HC6, HC7 and DBE1 and with Framework paragraph 131. It would also accord with LP Policy GB7A which presumes against development which would be conspicuous from within or beyond the Green Belt and would have an excessive adverse impact upon the openness, rural character or visual amenities of the Green Belt.

Other Matters

14. I have had regard to the other concerns expressed locally, but none has led me to a different overall conclusion.

Very Special Circumstances

15. The proposal would be inappropriate development in the Green Belt. Although I have found that it would not be harmful to the character and appearance of the area, the Framework advises that substantial weight should be given to any harm to the Green Belt. No other considerations have been advanced which might outweigh the harm to the Green Belt. Consequently, it has not been demonstrated that the very special circumstances necessary to justify the development exist.

Conclusion

16. The proposal would not accord with the provisions of the development plan when read as a whole and the harm that I have identified means that it would not satisfy the environmental dimension of sustainable development. For these reasons, the appeal should be dismissed.

Simon Warder

INSPECTOR