
Appeal Decision

Site visit made on 21 March 2017

by Nick Palmer BA (Hons) BPI MRTPI

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

Decision date: 3 April 2017

Appeal Ref: APP/C1570/D/17/3168783

Long Bar Hall, Sawbridgeworth Road, Little Hallingbury, Bishop's Stortford, Hertfordshire CM22 7QU

- 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 Brian Back against the decision of Uttlesford District Council.
 - The application Ref UTT/16/3154/HHF, dated 3 November 2016, was refused by notice dated 31 January 2017.
 - The development proposed is removal of an existing conservatory and construction of a new single storey rear conservatory extension.
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Decision

1. The appeal is allowed and planning permission is granted for removal of an existing conservatory and construction of a new single storey rear conservatory extension at Long Bar Hall, Sawbridgeworth Road, Little Hallingbury, Bishop's Stortford, Hertfordshire CM22 7QU in accordance with the terms of the application, Ref UTT/16/3154/HHF, dated 3 November 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2637037/1 (Existing & Proposed Floor Plans), 2637037/2 (Existing & Proposed Right Side Elevation), 2637037/2 (Existing & Proposed Rear Elevation) and 2637037/4 (Existing & Proposed Left Side Elevation).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues in the appeal are:
 - i) whether or not the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework);
 - ii) the effect of the proposal on the Green Belt;
 - iii) the effect of the proposal on the character and appearance of the area;
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- iv) whether or not there are other considerations weighing in favour of the proposal; and
- v) if the proposal would be inappropriate development, 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 it.

Reasons

Whether Inappropriate Development

3. Long Bar Hall is a large detached house dating from the early 20th century. It has a ground floor rear extension with a roof terrace above and an attached conservatory. The proposal is to replace the existing conservatory with a larger conservatory. Adjacent to the house there is a large garage and games room which was constructed in the 1960s. The property is in the open countryside and has a large garden.
4. The site is within the Metropolitan Green Belt as identified in the Uttlesford Local Plan (LP) (2005). Saved policy S6 of the LP makes provision for development to take place within the Green Belt in specified villages and other locations. The site is not in any of those villages or other locations and the proposal would not accord with that policy in this regard. However the full requirements of Green Belt policy are set out in the Framework.
5. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate in Green Belt. That paragraph sets out exceptions to this which include the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building. It is necessary therefore to consider the proposal in combination with the other additions that have taken place.
6. The Council's Delegated Officer Report notes that the proposed conservatory would provide only a modest increase in size compared to the existing conservatory. The report goes on to state that the footprint of the original dwelling was approximately 150 square metres and that the total footprint of the extensions would be about 60 square metres. Considered in this way the resulting extensions would be over one third of the footprint of the original house. However paragraph 89 of the Framework refers to the size of the original building which would indicate that factors other than footprint should be taken into account. In terms of floor space the extensions would amount to about one fifth or less of the original house taking into account that the house has attic accommodation. Similarly in terms of volume the extensions would represent a small proportion of the size of the original building.
7. The garage and games room is immediately adjacent to the house and close to it and extends significantly to the rear. From the information before me and what I saw on my visit this is a separate outbuilding which is ancillary to the house rather than forming an integral part of its accommodation. For these reasons as a matter of fact and degree the building is neither functionally nor physically an extension to the original dwelling. It does not on this basis constitute an addition to the original building as described in paragraph 89 of the Framework and on this basis I shall not consider this as forming part of the cumulative additions to the original building.

8. For these reasons I find that the proposed extension would not result in disproportionate additions to the original building and that the proposal would not be inappropriate development in the Green Belt.

Effect on the Green Belt

9. The Green Belt has an essential characteristic of openness. The purposes of Green Belt designation include safeguarding the countryside from encroachment. The proposed extension would extend about 3 metres further into the garden than the existing conservatory. Any building in the Green Belt has the potential to reduce its openness but the degree to which the proposal would have this effect would be minimal because of its limited size. Because the area immediately to the rear of the house forms part of the residential garden that is closely associated with the house the proposal would not encroach into open countryside. For these reasons the proposal would have no adverse effect on the Green Belt.

Character and Appearance

10. The extension would be visually contained by the house and the garage/games room. I saw on my visit that there is a hedge of over 2 metres in height along the rear boundary of the garden and that other trees and planting within the garden would likely obscure any view of the conservatory from outside the site.
11. The adjacent house to the north ('Little Bursteads') is listed at grade II but is separated from the site by part of its garden including trees and shrubs. The garage and games room building would also provide separation between the proposed extension and the listed building. I concur with the Council's view that the proposal would have no adverse effect on the setting of the listed building. For these reasons the proposal would not harm the character and appearance of the area.

Other Considerations

12. The proposal would provide improved accommodation allowing a greater amount of sunlight and would provide improved energy efficiency. These factors weigh in favour of the proposal but only to a limited extent. However because I have found that the proposal would not be inappropriate development it is not necessary for me to reach a conclusion as to whether there are very special circumstances.

Conditions

13. I have imposed conditions requiring that the development is carried out in accordance with the approved plans and that the external facing materials match the existing building in order to provide certainty and to ensure that the appearance of the development is acceptable in accordance with saved policy H8 of the LP.

Conclusion

14. For the reasons given I conclude that the appeal should be allowed.

Nick Palmer

INSPECTOR