
Appeal Decision

Site visit made on 24 April 2017

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 19th May 2017

Appeal Ref: APP/J1915/D/17/3172191

88 Mangrove Road, Hertford, Hertfordshire SG13 8AN

- 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 James Brunton against the decision of East Hertfordshire District Council.
 - The application Ref 3/16/2807/HH, dated 16 December 2016, was refused by notice dated 10 February 2017.
 - The development proposed is single storey rear extension, two storey side and rear extension, hip to gable and pitched roof dormer.
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear extension, two storey side and rear extension, hip to gable and pitched roof dormer at 88 Mangrove Road, Hertford, Hertfordshire SG13 8AN in accordance with the terms of the application, Ref 3/16/2807/HH, dated 16 December 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: D160303/2 B
 - 3) Prior to the commencement of the development approved the existing garage shall be removed and, other than that occupied by the development allowed, the area restored as part of the open rear garden.

Main Issue

2. The main issue is whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies.

Reasons

3. The side and rear extensions are proposed to a semi-detached house. This dwelling is located within a street frontage of similarly designed and arranged properties which fall within the Metropolitan Green Belt. Paragraph 89 of the National Planning Policy Framework (the Framework) states that the construction of new buildings should be regarded as inappropriate in Green Belt. One of the exceptions to this is the extension or alteration of a building
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provided that it does not result in disproportionate additions over and above the size of the original building.

4. An earlier proposal to similarly extend this dwelling had recently been refused and the appeal¹ dismissed. This earlier decision is a material consideration to which I have had careful regard. In that proposal the additions proposed, including an earlier extension and taking into account the removal of a detached garage building in the rear garden, had amounted to an overall increase in floorspace of some 81% compared to that of the original house.
5. This proposal would reduce the extent of the rear single storey extension proposed so that the overall increase in floorspace compared to that of the original house would be 61%. This would be slightly less than the 63% increase in floorspace allowed² by the Council at No 86, the other dwelling in this semi-detached pair. This proposal would match approximately the additions allowed at this next-door house.
6. The reduced floor area of the additions, which would balance the appearance of the semi-detached pair, would be sufficient to swing the balance in favour of this proposal not resulting in disproportionate additions over and above the size of the original building. In arriving at this conclusion account has been taken of the appeal decisions allowing extensions at No 90³, the dwelling on the other side, and dismissing a proposed larger extension to No 86⁴.
7. The extension proposed would comply with Policy ENV5 of the East Herts Local Plan Second Review of April 2007 (LP) through not having a significantly detrimental effect on the character, appearance and amenities of the existing and adjoining dwellings. The proposal would not be inappropriate development in the Green Belt under LP Policy GBC1 which allows limited extensions or alterations to existing dwellings in accordance with Policy ENV5. LP Policy GBC1 is considered to be consistent with paragraph 89 of the Framework. As the proposal would therefore be not inappropriate development there is no further requirement to consider its effect on the openness of the Green Belt.

Conclusion

8. In addition to the standard time limit, a condition specifying the relevant drawing is imposed as this provides certainty. As the removal of the garage is fundamental to my consideration over this proposal not resulting in disproportionate additions over and above the size of the original building a condition is necessary preventing the development being carried out before this takes place. Subject to these conditions this proposal would be not inappropriate development in the Green Belt. Given that I find no other harm would arise from what is proposed I conclude that the appeal should be allowed.

Jonathan Price

INSPECTOR

¹ APP/J1915/D/16/3160510

² Reference 3/10/2131/FP, allowed 25 January 2011

³ APP/J1915/D/15/3137704

⁴ APP/J1915/D/16/3162847