
Appeal Decision

Site visit made on 7 August 2017

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 16 August 2017

Appeal Ref: APP/J1915/D/17/3178460

2 Anchor Lane Cottages, Anchor Lane, Wadesmill, SG12 0TG

- 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 & Mrs Peter Jones against the decision of East Hertfordshire District Council.
 - The application Ref 3/17/0276/HH, dated 4 February 2017, was refused by notice dated 3 April 2017.
 - The development proposed is two storey front extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The appeal site is located within the Green Belt and therefore the main issues of the appeal are:
 - whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework;
 - the effect of the proposal on the openness of the Green Belt; and
 - 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

Inappropriate development?

3. The National Planning Policy Framework (the Framework) establishes that new buildings within the Green Belt are inappropriate unless, amongst other things, it involves the extension of a building. This is provided that it does not result in disproportionate additions over and above the original building.
4. Policy GBC1 'Appropriate Development in the Green Belt' of the East Herts Local Plan Second Review (2007) (the LP) sets out that permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. The policy also states that the construction of new buildings on land falling within the Green Belt will be inappropriate unless it is for a number of purposes, which includes limited extensions or alterations to existing

dwelling in accordance with Policy ENV5. Policy ENV5 of the LP identifies that outside the main settlements and Category 1 and 2 Villages, an extension to a dwelling will be expected to be of a scale and size that would either by itself, or cumulatively with other extensions, not disproportionately alter the size of the original dwelling nor intrude into the openness or rural qualities of the surrounding area. I consider that despite some inconsistencies, Policies GBC1 and ENV5 are broadly consistent with the Framework and therefore, in accordance with Paragraph 215 of the Framework, they can be afforded a reasonable level of weight.

5. The proposal would result in the construction of a two storey front extension, which would have a floor area of 7.92 square metres. The appellants have said that the main reason for appealing the Council's decision is that they believe that it has miscalculated the percentage by which the proposal, in combination with previous extensions, would extend the property. However, even by accepting the appellant's own calculations, the scheme, when considered with previous extensions, would result in an 82% increase in floor space from the original dwelling. Whilst the Framework and the relevant development plan policies do not give further guidance on what constitutes a disproportionate addition, I consider that such a large increase could not be said to be a proportionate addition.
6. In addition, the appellants have suggested that the 1950 extension should not be included within the calculation, as in 1950 the property was owned by the local authority, was semi-detached, and had no integral toilet or washing facilities. This would have been provided by an outhouse in the rear garden which was no longer present when the appellant moved into the dwelling in 2000. Annex 2 of the Framework sets out that the original building should be considered as that on 1 July 1948 or, if constructed after this date, as it was built originally. Given this and that I have no evidence before me to confirm that there was an original outhouse specific to the appeal property providing such facilities, I consider that the extension should be taken into account.
7. The proposed extension, when considered in combination with previous extensions, would therefore be inappropriate development, which is by definition harmful to the Green Belt and the scheme runs contrary to Paragraph 89 of the Framework and Policies GBC1 and ENV5 of the LP.

Openness

8. Openness is an essential characteristic of the Green Belt. The proposed extension would increase the bulk of the host dwelling and therefore would result in the loss of openness. However, in isolation, the loss of openness would be relatively minor. However, this minor level of harm is in addition to the harm resulting from the inappropriate nature of the scheme.
9. The appellants have referred to the Council closing the 'openness' between the twelve properties of Anchor Lane Cottages by linking them in 1950. However, this does not provide any justification for causing any additional harm to the openness of the Green Belt.

Other considerations

10. The appellant has set out that the scheme would provide for greater living space for their eldest child and would also provide them with the opportunity to

remain in the property into their retirement, as it is intended to incorporate downstairs washing facilities. Whilst these matters are acknowledged, I have not been provided with any evidence to suggest that the current living conditions are unacceptable. Further, I am not convinced that this scheme is the only feasible option to provide downstairs washing facilities. This is because the floor plans show that there is an existing downstairs WC and it appears feasible that the adjacent lobby area could potentially be converted into a downstairs washing facility in combination with the existing downstairs WC. Consequently, I afford these matters limited weight.

Other matters

11. The appellants have referred me to a planning application at 4 Anchor Lane Cottages, which I understand was approved by the Council in 2010. Whilst this may be of a similar design to the one proposed in this case, I have limited information before me in relation to that application. In particular, I do not have any details about the extent to which the scheme would have extended the original dwelling, along with any previous extensions at 4 Anchor Lane Cottages. Consequently, I afford the other development little weight and it does not affect my consideration of the specific merits of this case.
12. I acknowledge that no objections have been raised by the neighbours and the Council has not raised any concerns with regard to design and appearance of the proposed extension. However, these matters do not address or overcome my overall findings.

Conclusion

13. The proposed development would be inappropriate development in the Green Belt and the Framework establishes that substantial weight should be given to any harm to the Green Belt. In addition, there would be a minor loss of openness.
14. On balance, I consider that the benefits of the scheme to the living conditions of the appellants and all other considerations do not clearly outweigh the totality of harm that has been identified. Consequently, very special circumstances do not exist. For the reason given above and having regard to all other matters raised, the appeal is dismissed.

Jonathan Manning

INSPECTOR