
Appeal Decision

Site visit made on 10 October 2017

by John D Allan BA(Hons) BTP MRTPI

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

Decision date: 23 October 2017

Appeal Ref: APP/P1940/D/17/3178983

Tara, Uxbridge Road, Mill End, Rickmansworth, Hertfordshire WD3 8XA

- 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 Miss J Grove against the decision of Three Rivers District Council.
 - The application Ref 17/0054/FUL, dated 12 July 2016, was refused by notice dated 10 April 2017.
 - The development proposed is the erection of a conservatory to back of property, approx. 4m x 4m, height below existing eaves (2.8m).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt and the character and appearance of the area;
 - If it is 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 the development.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

3. The appeal site lies within the Green Belt. The Framework explicitly states that inappropriate development is, by definition, harmful to the Green Belt. However, the extension of an existing building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. Policy CP11 *Green Belt* of the Council's Core Strategy, adopted in October 2011, is consistent with the approach of national policy in

that it states that there will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it. Part (b) to Policy DM2 *Green Belt* of the Council's Development Management Policies Local Development Document (DMPLDD), adopted in July 2013, deals specifically with extensions to buildings and, consistent with national policy, states that extensions that are disproportionate in size to the original building will not be permitted.

4. The appeal property has previously been extended. According to the Council's officer's report, when taken with the previous additions, the proposal would result in an increase to the size of the original dwelling's floorspace by around 117%. This figure has not been disputed by the appellant and exceeds by some considerable margin the Council's normal guideline of 40% that is given within their '*Extensions to Dwellings in the Green Belt*' Supplementary Planning Guidance (SPG). This is referenced within paragraph 4.5 of the DMPLDD as relevant to the consideration of householder developments in the Green Belt and advises that extensions resulting in a cumulative increase of up to 40% compared with the original dwelling may not be disproportionate.
5. In my assessment the conservatory addition, although fairly modest in its own right, would noticeably alter and enlarge the form and proportions of the original dwelling. It would project around 4m further beyond an existing rear extension such that when taken together there would be a significant increase to the scale and spread of built form on the site. As such, and when also considered with the percentage increase in floorspace, I conclude that the proposal would be a disproportionate addition over and above the size of the original building. It would therefore amount to inappropriate development in the Green Belt for the purpose of the Framework and development plan policy. By definition this is harmful to the Green Belt and I attach substantial weight to this harm.

The effect of the proposal on the openness of the Green Belt and the character and appearance of the area

6. The Framework states that an essential characteristic of Green Belts is their openness and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land within them permanently open. The proposal would encroach into garden land to the rear of the appeal property that is currently open. As such, there would be some loss of openness to the Green Belt. This must be regarded as some additional harm to add to the harms by reason of inappropriateness and the conflict with development plan policy.
7. I note that the Council has no objection to the wider visual impact of the proposal. Given that the conservatory would be to the rear of the property and largely screened from any public vantage point I do not disagree. Nevertheless, the lack of any material harm in this regard is a neutral effect and does not attract any significant amount of weight in the scheme's favour.

Other Matters

8. I have noted and recognise the appellant's need to accommodate her family, particularly in relation to caring for dependent relatives and I attach a small amount of weight to this argument.

9. The appellant has drawn my attention to the variety of other land uses in the locality, including the construction of a new school nearby and noisy commercial uses to the rear of the appeal site. However, I do not know any details relating to the background or planning merits these. In any event, the proposal that is before me must be considered on its own merits.
10. I accept that the proposal would not impact upon the living conditions of any neighbouring occupiers, and that open land to the south side of the appeal site would be unaffected. The lack of any harm in this regard is again a neutral effect. Whilst it is regrettable that matters relating to Green Belt issues appear not to have been raised with the appellant during pre-application discussions with the Council, this does not affect my reasoning as it relates to the main issues in this case.

Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations

11. I have found the proposal to be inappropriate development for the reasons identified. This amounts to very substantial weight against it. In addition, I have also found that it would prejudice the openness of the Green Belt, albeit to just a small degree. The other considerations that have been put to me are of insufficient weight in this case to clearly outweigh the harms that I have identified. The very special circumstances necessary to justify the development do not exist. The appeal is therefore dismissed.

John D Allan

INSPECTOR