
Appeal Decision

Site visit made on 31 October 2017

by Mrs J Wilson BA BTP MRTPI DMS

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

Decision date: 22nd November 2017

Appeal Ref: APP/P1940/D/17/3180951

Willow Tree, Dimmocks Lane, Sarratt, Rickmansworth WD3 6AR

- 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 and Mrs Viner against the decision of Three Rivers District Council.
 - The application Ref 17/0904/FUL, dated 2 May 2017, was refused by notice dated 3 July 2017.
 - The development proposed is the demolition of existing single storey side wing, construction of new two storey side extension and alterations to existing windows and doors.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing single storey side wing, construction of new two storey side extension and alterations to existing windows and doors at Willow Tree, Dimmocks Lane, Sarratt, Rickmansworth WD3 6AR, in accordance with the terms of the application, Ref 17/0904/FUL, dated 2 May 2017, and the plans submitted with it, subject to the conditions in schedule 1.

Main Issue

2. The main issue is whether the proposal would be inappropriate development in the Metropolitan Green Belt having regard to the National Planning Policy Framework (The Framework) and development plan policy.

Reasons

3. The Framework regards the extension or alteration of buildings as inappropriate in the Green Belt unless, amongst other things, it does not result in disproportionate additions over and above the size of the original building. Policy DM2 of the Council's Development Management Policies Local Development Document (LDD) highlights that cumulative extensions which are disproportionate in size to the original building will not be permitted. The policy states that the building's proximity and relationship to other buildings, whether it is already or would become prominent in its setting, and whether it preserves the openness of the Green Belt, will also be taken into account.
4. The Council's Supplementary Planning Guidance: 'Extensions to Dwellings in the Green Belt' (SPG) indicates that extensions resulting in a cumulative increase in floor space of up to 40% of the floor area of the original dwelling

may not be disproportionate. Although this guidance relates to superseded policies, the LDD advises that it will be taken into account until it is incorporated into a future design supplementary planning guidance.

5. There would be a minimal increase in the footprint of the dwelling with new floor space replacing the existing that of the flat roofed garage and additional space located above, within the new roof space. Whilst the floor space increase would considerably exceed that set out in the SPG this is not the sole measure. From the most prominent elevation the increased bulk and massing would be read against the existing roof profile with dormer windows matching the existing. Considered against the existing building the development would not be disproportionate when compared to the form, bulk and height of the building or in its relationship with neighbouring buildings.
6. Given this context the proposal would not represent a disproportionate addition over and above the size of the original building. It is therefore not inappropriate development in the Green Belt in terms of Paragraph 89 of the Framework, and the proposal would not conflict with Policy DM2 of the LDD, Policy CP11 of the Core Strategy (2011) or the SPG. As I have come to this conclusion it is not necessary for me to consider the impact of the development on openness.

Other Matters

7. Concerns have been raised by neighbours regarding the prominence of the proposal in the street scene, overdevelopment, overshadowing and overlooking of their property. The Council concluded that the design would not be unduly prominent and the windows on the side elevation would not cause unacceptable overlooking of the neighbouring dwelling given the alignment of the two properties and the distance between them. Whilst I see no reason to disagree with the generality of these conclusions, I refer (below) to conditions to protect the neighbours' privacy.

Conditions

8. I impose a condition to ensure the external materials match the existing house in the interests of visual amenity, and the approved plans should also be listed in the interests of precision. A condition is also necessary to require the first floor windows on the north-west elevation to be obscure glazed, non-openable and maintained as such, and another to prevent the installation of further openings in this elevation. Both are required to safeguard residents' living conditions.

Conclusion

9. For the reasons given the proposal would not be inappropriate development within the Green Belt. No other harm has been identified and the development is therefore acceptable subject to conditions. Having had regard to all other matters raised, I conclude that the appeal should succeed.

Janet Wilson

INSPECTOR

Schedule 1

- 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: 267:01 REV B, 267:11 REV C, 267:12 Rev A, 267:13 Rev A and 267:15 REV A.
- 3) The external surfaces of the development hereby permitted shall be constructed in materials to match the existing dwelling.
- 4) The extension hereby permitted shall not be occupied until the first floor windows on the north-west elevation have been fitted with obscured glazing, and no part of the windows that are less than 1.7 metres above the floor of the room in which they are installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or other openings other than those expressly authorised by this permission shall be constructed on the north-west elevation of the extension hereby permitted.

[end of schedule]