



Appeal Decision

Site visit made on 10 March 2020

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2020

Appeal Ref: APP/C1570/D/19/3242754

Hall Green, Hallingbury Hall, Stortford Road, Little Hallingbury CM22 7RP

- 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 Eccles against the decision of Uttlesford District Council.
 - The application Ref UTT/19/2061/HHF, dated 19 August 2019, was refused by notice dated 17 October 2019.
 - The development proposed is for an infill extension to the existing annexe and associated internal alterations.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council issued a decision notice related to application UTT/19/2061/HHF, including its grounds for refusal, on 17 October 2019. I note an earlier decision notice for the same scheme that was issued to the appellant which appears in part to permit the proposal. However, when the notice is read as a whole it is clear that the intention is to refuse the scheme on the grounds set out in the main issues section below. I have proceeded accordingly.
3. The Council has relied upon Policy S6 of the Uttlesford Local Plan 2005 (2012) (ULP) in its reasons for refusal related to inappropriate development in the Green Belt. However, Policy S6 is not a relevant Policy in this respect and refers instead to the areas and boundaries of Uttlesford that are within the Metropolitan Green Belt (the Greenbelt). As such, in the absence of any submitted relevant local plan policies, I have relied upon the National Planning Policy Framework (the Framework) in consideration of the proposal related to inappropriate development in the Green Belt.

Main Issues

4. The main issues are:
 - whether the proposal would represent inappropriate development in the Green Belt having regard to the National Planning Policy Framework, and the effect of the proposal on the openness of the Green Belt,
 - the effect of the development on the character and appearance of the host dwelling;
 - the effect of the proposed development on the setting of a nearby listed building; and

- if the development would be inappropriate, 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

5. Hallingbury Hall is a substantial yellow-brick, mansion style residential dwelling in the Green Belt. The appeal site is accessed from the A1060 main road via open-grille metal gates that provide glimpses to the property, and a gravelled semi-circular drive set behind a lawn and an evergreen hedge.
6. The property has 'wings' to both sides. On the left hand-side the 'wing' is recessed from the main elevation and steps down to a tiled, single-storey extension which the submitted drawings indicate is a store. To the right-hand side there is a glazed conservatory. Beyond the store the roof and side of 'Hall Barn' can be seen which is a Listed Grade II building. The barn lies directly adjacent to an animal husbandry compound, and what appears to be a working stable-yard and outbuildings, beyond which extensive grounds associated with the host dwelling can be seen. The proposal is to construct a two-storey 'infill extension' to the front of the host-dwelling on the left-hand side between the main section of the host building and the single-storey 'store' extension.
7. The existing property has a shared garden, parking and access with the host building. However, whether it is currently occupied as a single dwelling or not, and notwithstanding the potential for an internal connection with the host dwelling, the submitted drawings show that the proposal would add a visually prominent 'main' entrance to the front elevation that would result in the appearance and nature of a separate dwelling. Moreover, my opinion is reinforced by the scale of the proposal, which is for a four-bedroom family home, rather than a subordinate annex to the host property.
8. I have no evidence before me that relates to the date of the 'original' building or any extensions that might have been constructed. However, the conservatory to the right-hand side is probably an extension that has been completed after 1948. In accordance with paragraph 145 (c) of the Framework it should therefore be included when considering whether or not an extension or alteration of a building results in disproportionate additions over and above the size of the original building. As such, the proposal, in combination with the conservatory extension, would amount to a disproportionate addition over and above the size of the original building. For this reason, I conclude that the proposal would represent inappropriate development in the Green Belt.

Openness

9. The scale and mass of the proposal adjacent to a well-used highway that is partially visible from the public realm would harm the openness of the Green Belt. It follows then, that the proposal would be in conflict with one of the purposes served by the Green Belt stated in Paragraph 134 (c) of the Framework, which is to assist in safeguarding the countryside from encroachment.

Character and appearance

10. The development would be of 'modest' height and would not extend beyond the ridge line of the host dwelling and be constructed in matching materials. However, the infilling to one side of the host property would disrupt the rhythm of the main elevation and appear incongruous with the character and appearance of Hallingbury Hall, which has a broad, spacious façade that is typical of a building of this style and age.
11. Therefore, whether the proposal is a single dwelling or an annex to the main building, the proposal is contrary to Policies GEN2 and H8 of the ULP which say, amongst other things, that development will not be permitted unless it is compatible with the scale, form, layout, appearance and materials of the surrounding building; and Paragraph 127 of the Framework which includes the aim that development is sympathetic to local character and history, including the surrounding built environment and landscape setting.

Setting of a listed building

12. The proposal is close to the Grade II listed 'Hall Barn'. However, the weather-boarded barn sits behind and to the side of the main body of Hallingbury Hall, and provides a transition to, and connection with, the rural style development and stables to the rear of the mansion building. Indeed, the size and scale of the barn is such that, notwithstanding the relative mass of the proposal, the barn would remain visually dominant.
13. As such the proposal has a neutral effect on the setting of the barn and does not result in harm to the setting of a listing building. I conclude therefore, that the proposed development would preserve the historic interest of the listed building.
14. Therefore, the proposal accords with Policy ENV2 of the ULP, which requires that development should not adversely affect the setting, or impair the special characteristics of a listed building; and Paragraph 193 of the Framework which includes the aim that consideration should be given to the effect of the proposed development on the significance of a designated heritage asset.

Other Considerations and Planning Balance

15. The Framework requires in Paragraphs 143-147 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Moreover, very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. I note that the proposal would result in an additional unit of accommodation, but this does not overcome the harm to the Green Belt issue identified above and is therefore, afforded limited weight. Hence, I find that other considerations in this case do not clearly outweigh the harm that I have identified so as to amount to the very special circumstances necessary to justify the development in the Green Belt.

16. Accordingly, the proposal is in conflict with Paragraphs 143 and 145 of the Framework, which require that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Conclusions

17. The Government attaches great importance to Green Belts. I have found that the proposal is inappropriate development that would erode the essential characteristics of the openness of the Green Belt. Moreover, I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. Also, as I have found that the proposal would harm the character and appearance of the host dwelling, it would conflict with the adopted development plan when considered as a whole, and given the above, would also conflict with Policies contained within the Framework. As there are no other material considerations that indicate a decision other than in accordance with the development plan, I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR