
Appeal Decision

Site visit made on 1 September 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th October 2020

Appeal Ref: APP/P1940/D/20/3244359

**The Coach House, Loudwater Lane, Loudwater, Rickmansworth,
Hertfordshire WD3 4HQ**

- 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 Burgess against the decision of Three Rivers District Council.
 - The application Ref 19/1790/FUL, dated 16 September 2019, was refused by notice dated 25 November 2019.
 - The development proposed is oak framed car port extension.
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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 and any relevant development plan policies;
 - The effect on the openness of the Green Belt;
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

4. The National Planning Policy Framework (the Framework), at Paragraph 145, regards the construction of new buildings as inappropriate development in the Green Belt, unless the development falls within certain listed exceptions. One of several exceptions to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
5. The proposal would be located to the side of the existing residential property. At the time of my site visit the area for the proposal was free from development, but had an area of hardstanding. The Council has stated that,

- cumulatively with other extensions, the proposal would result in an increase of 91.5% to the original floor space of the property, something not disputed by the appellants.
6. The Extensions to Dwellings in the Green Belt Supplementary Planning Guidance (GBSPG) (2004) advises that extensions resulting in a cumulative increase in floor space of more than 40% compared with the original dwelling may be disproportionate.
 7. Whilst I acknowledge that proposal in itself is a relatively small addition, when combined with the existing significant extensions, it would exceed the guidance figure by a substantial amount. Consequently, the proposal when taken as a whole, compared to the original building, would result in disproportionate additions over and above the size of the original building.
 8. The appellants have referred to a previous structure that was on the site and have suggested this proposal would replace this. However, the building is no longer there, as such the proposal would not be a replacement building as set out in criterion d) of Paragraph 145 of the Framework.
 9. Therefore, as the proposed development would not meet any of the exceptions set out in Paragraph 145 of the Framework, it would be inappropriate development. As such, by definition, harmful to the Green Belt.

Openness

10. The part of the site for the proposal is currently undeveloped. The proposal would add increased bulk and massing to the existing building at ground floor level. The additional development would extend development close to Loudwater Drive and would erode the visual and spatial aspects currently experienced, which would impact on the spatial and visual dimensions of the site. As such, the proposal would cause moderate harm to the openness of the Green Belt in this location.
11. Therefore, the proposed development would result in inappropriate development and would have moderate harm on openness. Therefore, it would be contrary to Paragraph 133 of the Framework, Policy CP11 of the Core Strategy (CS) (2011) and Policy DM2 of the Development Management Policies Local Development Document (DMP) (2013). These policies, amongst other matters, seek to preserve the openness of the Green Belt and to protect the Green Belt from development that is inappropriate.

Other Considerations

12. I note that the appellants state that the property has planning permission for a replacement extension¹ and that the previous structure on the site was removed to allow the implementation of the other approved extension. Therefore, the appellants consider the proposal as a replacement structure.

¹ LPA reference 19/0856/FUL

However, there is no building currently in place on the area for the proposal, therefore, I have determined the appeal on the current site circumstances and the evidence before me.

13. The appeal site is located within the Loudwater Conservation Area (CA) and the setting of the Old Mill House, a Grade II Listed building. As such, I have paid special attention to my statutory duty to the desirability of preserving or enhancing the character or appearance of the CA and the desirability of preserving a building or its setting or any features of special architectural or historic interest which it possesses.
14. The surrounding area is characterised by large detached dwellings set within spacious plots within the wooded landscape of the Chess Valley. The Coach House is likely to have been constructed around the 19th Century and would have had links to the Old Mill House. The Coach House now forms 2 dwellings which have been altered and extended over time. The location of the proposal on the edge of the building, would be situated at the furthest point from the Old Mill House.
15. The proposal would use traditional materials to mirror and complement the historic character of the original building and other nearby buildings. As such, the design and scale of the proposal would be in keeping with the character and appearance of the CA, and it would preserve the setting of the Old Mill House. I note that the Council came to a similar conclusion, and from the evidence before me, I have no reason to disagree with its assessment.

Green Belt Balance and Conclusion

16. The Government attaches great importance to Green Belts. Paragraph 144 of the Framework states that substantial weight should be given to any harm to the Green Belt. In this case, I have found harm to the Green Belt by reason of the proposed development's inappropriateness and its impact on openness. These matters attract substantial weight.
17. Balanced against that are the other considerations discussed above, which I give limited weight. These considerations would not clearly outweigh the harm to the Green Belt.
18. 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, and the proposed development would conflict with Policy CP11 of the CS and Policy DM2 of the DMP.
19. For the reasons given above, I conclude that the appeal is dismissed.

D Peppitt

INSPECTOR