The Planning Inspectorate

Appeal Decision

Site visit made on 11 August 2020

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th November 2020

Appeal Ref: APP/C1570/W/20/3252227
Colventors, Grinstead Lane, Little Hallingbury CM22 7QX

- 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 Phil Doree against the decision of Uttlesford District Council.
- The application Ref UTT/20/0221/HHF, dated 27 January 2020, was refused by notice dated 12 March 2020.
- The development proposed is proposed alterations and extensions to existing dwellinghouse.

Decision

1. The appeal is allowed and planning permission is granted for proposed demolition of existing garage and side extension and erection of two storey and single storey extensions and alterations including 4 no. new dormer windows and a Juliet balcony at Colventors, Grinstead Lane, Little Hallingbury CM22 7QX in accordance with the terms of the application, Ref UTT/20/0221/HHF, dated 27 January 2020, subject to the following conditions: -

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: NWA-19-018-10 Revision A, NWA-19-018-BLK_P Revision C and NWA-19-018-LOC_P Revision C.

    3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

    4) Prior to the construction of any part of the development above slab level, a Biodiversity Enhancement Layout, providing the finalised details and locations of enhancement measures shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Procedural Matters

2. Following the site visit, the appeal was removed from the Householder Appeals Service (HAS) to follow the standard written representation procedure. As part of this process the parties were asked if it was necessary for a further site visit to take place, with specific regard to any changes in circumstances at the site or in its surroundings. However, the Council did not respond to this

correspondence, so the appeal has been determined in accordance with the original site visit undertaken on 11 August 2020.

3. Despite the description of development set out above, I consider the description found on the Decision Notice and the Appeal Form better reflects the scheme that is before me and that which the Council considered. The development proposed is therefore for 'proposed demolition of existing garage and side extension and erection of two storey and single storey extensions and alterations including 4 no. new dormer windows and a Juliet balcony'. Planning permission has been granted[1] for extensions and alterations to the property (the approved scheme). The current proposal essentially mirrors the approved scheme but, in addition, includes a single storey garden room to the rear, a longer two-storey extension to the side (above an existing approved single-storey lean-to) and a first-floor Juliet balcony at the rear. As it is those additions which are at issue between the main parties, and with cognisance of the extant permission, I will focus on those aspects of the proposal within this decision.

4. The appeal site is situated within the Metropolitan Green Belt. The Council has relied upon Policy S6 of the Uttlesford Local Plan 2005 (the LP), which refers to the areas and boundaries of Uttlesford that are within the Metropolitan Green Belt (the Green Belt). The Local Plan is of some age and the wording of the National Planning Policy Framework (the Framework) is the most up to date expression of the national policy position on development in the Green Belt.

5. Moreover, paragraph 145 of the Framework sets out that the construction of new buildings in the Green Belt should be regarded as inappropriate development, unless it meets one or more exceptions. In particular, paragraph 145(c) concerns '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'.

6. In light of this, when the procedure for the appeal was changed from HAS, the main parties were invited to clarify whether the proposed development is or is not inappropriate development, as required by the Framework. The Council's Decision Notice, Officer Report and subsequent correspondence do not identify any concerns with regard to this matter. Based on the evidence before me, the development would not be inappropriate development in the Green Belt, so there would not be conflict in relation to Policy S6 of the LP, and there is no need to consider the effect upon openness in this instance. I have therefore determined the appeal on this basis and dealt solely with the matter that is in contention as identified in the main issue below.

Main Issue

7. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding countryside.

Reasons

8. The appeal concerns a detached house which, at the time of my site visit, was being extended in accordance with the approved scheme. The existing planning drawings appear to suggest that the property was previously a pair of single storey cottages, with rooms in the attic space served by gabled dormer

[1] Planning Reference: UTT/19/0930/HHF.

windows. To the centre was a substantial elaborate chimney stack. The original form is unclear but the property already appeared to have been extended. With the approved scheme the previous form and scale of the property would be barely recognisable, as it is subsumed with the extensions and alterations.

9. Despite the significant extent of the additions already undertaken and the additional footprint and scale of the proposed extensions, they would not add to the approved scheme in a harmful way. Moreover, the single storey garden room to the rear would be set below the eaves of the house and back of the approved right-hand rear projecting gable. Similarly, the first-floor side extension would be a small addition above the ground floor lean-to approved to the left-hand side of the property. This would follow the form of the approved gable end behind the lean-to. Furthermore, the Juliet balcony proposed at the rear at first-floor on the approved right-hand gable end, would be a minor addition to the property which would appear in proportion with the windows beneath. Given the above, the space that would remain around the property, its position in relation to the houses neighbouring and the visibility of the property in the wider area, the proposal would also not be harmful to the surrounding countryside.

10. In light of the above, I conclude that the proposed development would not have a harmful effect on the character and appearance of the host property and the surrounding countryside. Hence, the proposal would accord with the design aims of Policies GEN2 and H8 of the LP and the Council's Supplementary Planning Document for Home Extensions (Adopted November 2005) and the Framework.

Other Matters

11. The Council did not identify any concerns with respect to biodiversity and nature conservation, as sufficient ecological information was available to provide certainty of the likely impacts on protected and priority species and habitats. Had the Council not found against the proposal in respect of the main issue then they would have imposed a planning condition to cover biodiversity enhancements in connection with the development. There is no substantive evidence before me that would lead me to a different conclusion in respect of this matter.

Conditions

12. In addition to the standard time limits for the appeal, in the interests of clarity I have specified the approved plans. Furthermore, in the interests of the appearance of the host property and the ecology of the site and its surroundings, I have specified that the materials of construction shall match those of the existing building and finalised details and locations of enhancement measures shall be provided following completion of works above the ground floor slab.

Conclusion

13. For the reasons given above, I conclude that the appeal should be allowed.

Paul Thompson

INSPECTOR