



Appeal Decision

Site visit made on 2 March 2022

by Grahame Gould BA MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th March 2022

Appeal Ref: APP/A1910/D/21/3282270

Honeysuckle Barn, Birch Lane, Flaunden HP3 0PT

- 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 Fluanden Construction Limited against the decision of Dacorum Borough Council.
 - The application Ref 21/01696/FHA, dated 22 April 2021, was refused by notice dated 24 June 2021.
 - The development proposed is alterations to an existing dwelling involving raising the roof and changes to the fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to an existing dwelling involving raising the roof and changes to the fenestration at Honeysuckle Barn, Birch Lane, Flaunden HP3 0PT in accordance with the terms of the application, Ref 21/01696/FHA, dated 22 April 2021, and the plans submitted with it, together with the following condition.
 - 1) No windows above ground floor level shall be installed in the extended building hereby approved.

Procedural Matters

2. The development has been undertaken in that the roof of Honeysuckle Barn (the barn) has been raised and alterations to this building's fenestration (doors and windows) have been made. The development that has been undertaken accords with the application drawings, most particularly drawing A/48278/03E (Proposed Floor Plans and Elevations). The development that has been undertaken being contrary to a conversion scheme granted planning permission under application references 4/03481/15/MFA and 4/01674/19/NMA. I have determined this appeal on the basis of it being for a development that has been implemented.
3. Another application (21/00358/FUL) for raising the barn's roof and altering its fenestration, also including first floor accommodation within the building's roof, was refused planning permission by the Council on 26 March 2021. The appellant having advised that decision was appealed, with that appeal having been dismissed on 11 February 2022¹ and a copy of that decision having been submitted by the appellant for my information.

¹ APP/A1910/W/21/3274202

4. A revised version of the National Planning Policy Framework was published by the Government in July 2021 (the Framework), postdating the Council's decision. The substance of the policy stated in the parts of the Framework referred to in the Council's officer report has not been changed in the revised Framework. The changes to the Framework concerning this case relate to its paragraph numbering and in my reasoning below I have only referred to the revised Framework.

Main Issues

5. The main issues area:
 - whether the development is inappropriate development in the Green Belt; and
 - whether the development has preserved or enhanced the character or appearance of the Flaunden Conservation Area (the CA).

Reasons

Whether inappropriate development in the Green Belt

6. The barn and the other properties in Flaunden are within the Green Belt.
7. Paragraph 147 of the Framework explains inappropriate development in the Green Belt is harmful by definition and should not be permitted. However, paragraph 149 of the Framework states that some types of built development, in certain circumstances, may be regarded as being not inappropriate development in the Green Belt. In that regard paragraph 149 identifies seven types of built development that are capable of being considered as exceptions to inappropriate built development. The third of those exceptions 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*" (paragraph 149(c)).
8. Policy CS5 of the Dacorum Core Strategy 2006-2031 of 2013 (the Core Strategy) addresses development in the Green Belt and states small scale development will be permitted for "... *limited extensions to existing buildings ...*". Policy CS5 generally accords with the Green Belt policy stated in the Framework.
9. The raising of the barn's roof by between 0.5 and 1.13 metres has increased its volume from 649.18 to 753.90 cubic metres². The raising of the barn's roof has increased its original volume by 16%³. I consider that volumetric change has not resulted in a disproportionate addition over and above the size of the original building and that there has been no consequent harm to the Green Belt's openness.
10. I therefore conclude that the development is not inappropriate development within the Green Belt, with it being within the third exception stated in paragraph 149(c) of the Framework and there being no conflict with Policy CS5 of the Core Strategy, insofar as that policy addresses limited extensions to buildings. My conclusion on this main issue being consistent with the Inspector who determined the recent appeal concerning the barn.

² Based on the figures quoted in the Council's office report

³ Paragraph 6.5i in the appellant's appeal statement

Character and appearance

11. The Barn is located within the CA, which encompasses much of the predominantly residential hamlet of Flaunden.
12. The barn is a relatively wide building, with limited depth. While the raising of the barn's roof has increased its height and mass, I am of the view that the making of this change to the barn has not harmed its appearance. In that regard I consider that the barn has not become top heavy or unduly bulky and that the height and roof form remain in sympathy with this building's original character. I also consider that the changes to the fenestration, compared with what was originally permitted, have not harmed either the barn's or the CA's appearance.
13. I therefore conclude that the development has preserved the CA's appearance, with there being no effect on this heritage asset's character. I therefore consider that the development accords with Policies CS12 and CS27 of the Core Strategy because it has "conserved" the CA's appearance. I also consider there is no conflict with the policy in section 16 of the Framework (Conserving and enhancing the historic environment) because there has been no harm to the CA. My findings with respect to this main issue being consistent with those of the Inspector who determined the earlier appeal.

Other Matter

14. Under a planning obligation entered into under Section 106 of the Town and Country Planning Act 1990 (as amended) there is a requirement for part of the barn to be used as an office and tack room in association with the operation of the adjoining stables. The appealed planning application only concerns external alterations to the barn and the outcome of this appeal should not be read as releasing the appellant from any requirement to vary the terms of any extant Section 106 agreement.

Conditions

15. The Council has suggested conditions relating to: the standard implementation period; using external materials to match those of the existing building; and compliance with the submitted plans.
16. However, as the development has been implemented in accordance with the application plans, I consider there is no need to impose any of the Council's suggested conditions. The planning permission to be granted expressly referring to it being for the development for which permission was sought, including the plans accompanying the planning application.
17. The previous appeal was dismissed because of a concern that the proposed installation of first floor windows would result in the barn having a more domestic appearance, which would erode its rural character and result in there being harm to the CA's character and appearance. There would be scope for first floor windows to be installed and were that to happen I share the previous Inspector's concern that would not preserve or enhance the character or appearance of the CA. To address that concern I have imposed a condition precluding the installation of any windows above ground floor level.

Conclusion

18. For the reasons given above the appeal is allowed.

Grahame Gould
INSPECTOR