



Appeal Decision

Site visit made on 10 October 2023

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2023

Appeal Ref: APP/P1940/D/23/3316019

**The Old Dairy, Micklefield Hall Farm, Sarratt Road, Rickmansworth
WD3 6AQ**

- 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 Jamie Rankin against the decision of Three Rivers District Council.
 - The application Ref 22/1978/FUL, dated 18 October 2022, was refused by notice dated 29 December 2022.
 - The development proposed is described as two single storey extensions.
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Decision

1. The appeal is dismissed.

Policy Context

2. The appeal site is within a countryside location. It is also within the Green Belt. The five purposes of the Green Belt are set out within paragraph 138 of the National Planning Policy Framework (the Framework). One of these purposes – as identified within paragraph 138. c) is to safeguard the countryside from encroachment.
3. Paragraph 147 of the Framework states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.
4. Framework paragraph 149 indicates that the construction of new buildings in the Green Belt should be regarded as inappropriate unless one of a number of exceptions are met. Paragraph 150 of the same document says that certain other forms of development – which include engineering operations – are also not inappropriate in areas subject of Green Belt designation, provided they preserve its openness and do not conflict with the purpose of including land within it.
5. Within the accompanying text of Policy CP11 of the Three Rivers District Council Local Development Framework Core Strategy dated 2011 (the core strategy), it is indicated that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. The policy itself indicates that there will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it. Policy DM2 of the Three Rivers District Council Development Management Policies Local Development Document dated 2013 (the local development document) sets out that the construction of new buildings in the Green Belt is inappropriate, unless certain exceptions are met. As such, policies CP11 of the Core Strategy and

DM2 of the local development document, broadly conform with the provisions of the Framework in respect of Green Belt.

Main Issue

6. Against the background above, the main issues are;

- whether the proposed hardstanding and parking area would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies;
- whether the extensions and alterations to the dwellinghouse would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies, and the effect of the development on the openness of the Green Belt; and,
- if any part of the proposals are found to be inappropriate development, 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 required to justify the development.

Reasons

Whether the hardstanding and parking area would be inappropriate development in the Green Belt

7. The proposed formation of the hardstanding area would constitute an engineering operation. The effect of the development on the openness and purposes of the Green Belt will therefore determine whether the development is inappropriate or not.
8. Openness can be considered both spatially and visually. The replacement of areas of hardstanding within the courtyard with grass would mean that the total area of hardstanding within the site would not be greatly increased. However, the replacement hardstanding would be located within the garden area, and be of sufficient size to enable several vehicles to be parked.
9. The evidence suggests that there is no public access to the appeal site. Notwithstanding this, and even if a 'grasscrete' type surfacing were installed, both the proposed hardstanding and any vehicles parked on it would be visible from the adjacent track, by users of the land and buildings on the wider estate.
10. Furthermore, and although the hardstanding would be constructed close to the house and separated from the remainder of the garden by hedgerows, it would still introduce development in an open and uncluttered part of the garden which is currently laid to grass.
11. Consequently, the hardstanding area and its subsequent use for vehicle parking would lead to a loss of both spatial and visual openness of the Green Belt. Such development would conflict with a purpose of the Green Belt to assist in safeguarding the countryside from encroachment. For these reasons, the proposed hardstanding and car parking area would represent inappropriate development in the Green Belt, which would conflict with the requirements of CP11 of the core strategy and the relevant parts of the Framework. Substantial weight is accorded to the harm which would be caused to the Green Belt. Accordingly, the proposal should not be approved except where very special circumstances exist.

Whether the extensions and alterations to the dwellinghouse would be inappropriate development in the Green Belt

12. What is disproportionate in the context of extensions to buildings in the Green Belt, is not defined within development plan policies CP11 or DM2, or the Framework. Therefore, the assessment of whether the proposal would amount to a disproportionate addition over and above the size of the original building is a matter of planning judgment.
13. The Three Rivers District Council Extensions to Dwellings in the Green Belt Supplementary Planning Guidance No.3 document dated August 2003 (the SPG), predates the development plan. Notwithstanding this, it continues to provide useful guidance on extensions in the Green Belt. It indicates that extensions resulting in a cumulative increase in floorspace of over 40% compared with the original dwelling will normally be unacceptable. Even if the proposals would result in a 29% increase in floorspace, this would be significantly below the 40% threshold within the SPG.
14. In addition to floorspace, it is reasonable to consider volume and scale when assessing whether a proposal would represent a disproportionate addition. If the proposed covered walkway were included within the volume calculation, then the evidence suggests that the volume increase would be slightly greater than 40%. However, the walkway would not be enclosed, and it would be constructed within what would become a largely enclosed courtyard area. As such, the walkway would only to a very limited extent, increase the scale of the dwelling.
15. The existing dwelling comprises a series of linked buildings that wrap around at least 2 sides of a former yard area. The living room extension would further enclose the courtyard. The depth of this part of the extension would be slightly greater than the part of the building it would adjoin, and it would include a tall chimney. However, if a rectangle was drawn tightly around the existing building, then, with the exception of the chimney, the extensions would not spread beyond the extent of this rectangle, or project above the height of the parts of the building they would adjoin. For these reasons, the bulk and massing of the dwelling would not be greatly or disproportionately increased by the proposed extensions.
16. As such, the proposed extensions to the dwellinghouse would not constitute disproportionate additions to the original building. Consequently, this part of the scheme would not be inappropriate development in the Green Belt, and it would comply with policy CP11 of the core strategy and policy DM2 of the local development document. It would also comply with the relevant provisions of the Framework. Therefore, and in respect of the proposed extensions to the dwellinghouse, there is no need for the appellant to demonstrate that very special circumstances exist or for me to go on to consider the effect of this part of the proposals on the openness of the Green Belt.

Other considerations

17. The development, which would include measures to reduce energy requirements, would result in the modernisation of the dwelling. Furthermore, I do not doubt that the installation of bat boxes would contribute to enhancing the biodiversity value of the site, and that the proposals would provide flexibility in the accommodation and parking areas to ensure that it would meet

the changing needs of future occupiers. However, given the small scale of the scheme, limited weight is attributed to these benefits.

18. That the proposed extensions to the dwelling would not be inappropriate development in the Green Belt, is a neutral consideration.

Other Matters

19. The appeal site forms part of the Micklefield Hall Estate. The evidence shows that the estate contains 3 grade II listed buildings. Although the Council has concluded that the proposals would not harm the listed buildings or their settings, I am not bound to reach the same conclusions. I have a duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the [listed] building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 199 of the Framework guides that when considering the impact of a proposed development on the significance of designated heritage assets, in this case; Micklefield Hall; the barn about 25 metres southwest of Micklefield Hall; and the stables about 15 metres northwest of Micklefield Hall, great weight should be given to the asset's conservation.
20. The significance of the heritage assets are their historic fabric and their collective group value. The setting of the assets is, in part, informed by; the outbuildings between and close to them; the mix of formal and informal gardens around them, and the countryside beyond.
21. The proposed development would not result in changes being made to the parts of the dwelling that back onto one of the formal garden areas serving Micklefield Hall. Furthermore, intervening buildings and trees prevent intervisibility between the building subject of this appeal and the listed buildings, and also interrupt views of the proposed development from the curtilage of these buildings. The setting of the heritage assets would therefore be preserved by the implementation of the development proposals, and it would not cause harm to the significance of the heritage assets. That being the case, the requirements at paragraphs 200 and 201 of the Framework are not engaged.

Conclusion

22. Substantial weight is accorded to the harm that would be caused to the Green Belt as a result of the proposed hardstanding and car parking.
23. The other considerations in this appeal do not clearly outweigh the harm by reason of inappropriateness and any other harm I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
24. Overall, and for the reasons given above, the proposal conflicts with the development plan when taken as a whole. There are no material considerations, either individually or in combination that outweigh the identified harm and associated development plan conflict.
25. I therefore conclude that this appeal should be dismissed.

V Simpson INSPECTOR