



Appeal Decision

Site visit made on 7 November 2023

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 December 2023

Appeal Ref: APP/C1570/D/22/3313474

**Burstead Cottages, Sawbridgeworth Road, Little Hallingbury, Essex
CM22 7QU**

- 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 Kevin Sees against the decision of Uttlesford District Council.
 - The application Ref UTT/22/2245/HHF, dated 10 August 2022, was refused by notice dated 31 October 2022.
 - The development proposed is described as 'two storey side extension, single storey rear extension and erection of detached garage'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although the application form and decision notice refer to the site as Bursteads Cottages, the appeal form refers to Burstead Cottages. This is also the spelling which appears on signage at the appeal site. I have therefore used the singular form in the banner heading above.
3. I have also determined another appeal, Ref APP/C1570/D/23/3322610, on the same site, in relation to an alternative proposal with the same description. That appeal is the subject of a separate decision.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies,
 - the effect of the proposal on the openness of the Green Belt, and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate Development in the Green Belt

5. The appeal site is a semi-detached cottage in a group of four similar dwellings in a rural location. It is on land designated as Green Belt.

6. Paragraph 149 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt. It goes on to set out some exceptions, which include *'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 149c).
7. In the Uttlesford Local Plan adopted 2005, Policy S6 defines the extent of the Green Belt and the supporting text confirms that national planning policy on Green Belts will be applied within that area. Policies GEN2 and H8 set out various design criteria applicable to the proposed development, but are not restricted to consideration of development in the Green Belt. Policy GEN2 also requires that proposals have regard to adopted Supplementary Planning Documents (SPDs). These include the Council's SPD on Home Extensions adopted November 2005. This SPD reflects the provisions of the Framework, stating that an extension in the Green Belt will only be allowed if it is limited in size and proportionate to the size of the original building.
8. The Council's Officer Report sets out that the proposed extensions would more than double the footprint of the original building, increasing it by some 127%. I have been presented with no evidence to the contrary. However, the rear extension would be on a single storey and the roof height over the side extension would be somewhat lower than that of the original building. Therefore, no clear conclusions can be drawn about the associated percentage increase in the external volume of the building.
9. Nevertheless, the side extension in particular would have a substantial external volume and the design incorporates several elements which tend to emphasise its scale. The double gable to the side and the additional gable to the front would introduce a complex and relatively bulky roof form. The scale of the extension would be particularly apparent at the rear, where the proportions of the combined extensions would overwhelm the narrow width of the original cottage. Even if the single storey rear extension could be implemented through exercise of permitted development rights, it cannot be disregarded, since it forms part of the development for which planning permission is sought.
10. The lower roof ridge and set back front elevation would create a degree of visual subordination. However, this is not sufficient to prevent the extensions from appearing disproportionate to the original building as a result of their overall massing and the specific design elements outlined above.
11. The Council did not raise any objection on Green Belt grounds to the proposed garage, having considered it against the provisions of the Framework regarding replacement of existing buildings. Based on the evidence before me, I have no reason to reach a different conclusion on this element of the proposal.
12. Nevertheless, for the reasons given above I conclude that the proposal would result in disproportionate additions over and above the size of the original building. That being the case, the proposal would amount to inappropriate development in the Green Belt as defined in the Framework. It would be contrary to Policies S6, H8 and GEN2 of the Uttlesford Local Plan and the associated Home Extensions SPD. These policies, amongst other things, apply national planning policy within areas designated as Green Belt and consequently limit the scale of extensions to those which are limited in size and proportionate to the size of the original building.

Openness of the Green Belt

13. The three neighbouring cottages have all been extended and those extensions are clearly visible in the surrounding landscape. The proposed extension would be similarly visible from the road in front of the dwelling and from Grinstead Lane to the rear. However, it would be screened in some viewpoints by the existing cottage and its neighbours. It would also be seen in the context of the existing residential development on and adjacent to the site.
14. Given that the site is already developed for residential purposes, and has other dwellings to either side, there would only be a very limited effect on openness in spatial terms. Visually, there would be some loss of openness, as the gap between the dwelling and its neighbour would be reduced and the scale of building on the site increased. However, this would also be at a limited and localised level. There would not be any material harm to the wider purposes of the Green Belt or the openness of the agricultural land around the site.

Other Considerations

15. My attention has been drawn to previous extensions to the three neighbouring properties. Two of these are described as pre-dating the current development plan and Framework, but the extension to Barncroft Cottage is more recent. However, while this is also a two-storey extension, both the extension and the host dwelling are of a different design to the appeal proposal. In any case, it is a well-founded principle of the planning system that each proposal should be considered on its own merits and that is what I have done.
16. The proposal would give the pair of cottages a more balanced appearance. However, the dwelling on the appeal site is an attractive, well-detailed cottage in its own right and the absence of a substantial side extension is not inherently harmful to the character and appearance of the surroundings. Furthermore, the Framework does not advocate that extensions to buildings in the Green Belt are considered in relation to the scale of neighbouring buildings or extensions, but rather in relation to the scale of the original building on the site.
17. The proposal would provide enlarged family accommodation to meet the occupiers' requirements. I have noted that the cottage was purchased in expectation that this would be possible, given the existing extensions nearby. However, my conclusions on this appeal do not preclude the consideration of alternative proposals for enlarging the accommodation, within the limits set out in the Framework. Furthermore, I am mindful that similar circumstances arise throughout the Green Belt and therefore similar arguments could be repeated elsewhere, with a harmful cumulative effect on the Green Belt's essential characteristics. On that basis, I have given the benefits associated with providing additional family accommodation modest weight.
18. The appellant's intention to implement a high standard of building detailing, respectful of this attractive early 20th century cottage, is commendable. However, it carries limited weight given that the use of appropriate building materials and detailing is a requirement under the applicable policies of the development plan. While the design draws on guidance in the Home Extensions SPD, the SPD itself makes clear that the scale of extensions in the Green Belt is an important underlying consideration. Therefore, compliance with other

recommendations in the SPD is not sufficient to demonstrate consistency with the development plan and Framework when considered as a whole.

19. While the extensions would provide an opportunity to deliver energy efficiency improvements, the evidence does not clearly demonstrate that these would exceed current requirements under the Building Regulations. Furthermore, given the nature of this proposal, which affects only a single dwelling, any public benefit associated with managing energy consumption or carbon emissions would be inherently limited.

Green Belt Balance

20. I have concluded that the proposal would be inappropriate development in the Green Belt as defined in the Framework and relevant development plan policies. There would be harm to the openness of the Green Belt, albeit at a limited and localised level.
21. The Framework requires that any harm to the Green Belt be given substantial weight. While a number of factors have been highlighted in favour of the proposed development, I have given those factors limited or modest weight for the reasons set out above. Whether considered individually or cumulatively, the harm to the Green Belt is not clearly outweighed by those other considerations. In consequence, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

22. Having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Jane Smith

INSPECTOR