



Appeal Decision

Site visit made on 9 April 2025

by **P B Jarvis DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 May 2025

Appeal Ref: APP/C1570/D/24/3355257

Three Acres, Motts Green, Motts Green Road, Little Hallingbury CM22 7RN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Wendy Brown against the decision of Uttlesford District Council.
 - The application Ref is UTT/24/2135/HHF.
 - The development proposed is conversion of existing garage to residential with an upward and rear extension to form annexe.
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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 (the Framework) and relevant development plan policies.
 - The effect of the proposal on the openness and purposes of the Green Belt.
 - The effect on the setting of heritage assets.
 - 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

3. The appeal site comprises a large chalet bungalow sited within extensive grounds including garden areas and two small paddocks, within which are a number of outbuildings. It lies on the south-eastern edge of the village within a small group of dwellings served by a shared access surrounded by open land separated from the main built up part of the village. The M11 motorway runs to the south separated from the site by a belt of mature trees and vegetation.

Whether inappropriate development in the Green Belt

4. The Framework states at paragraph 154 that development in the Green Belt is inappropriate unless one of a number of listed exceptions apply. These include, at paragraph (c), 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.

Whilst Policy S6 of the Uttlesford Local Plan (2005) (ULP) allows for infilling, limited development or redevelopment compatible with the character of the settlement and its setting within the limits of Little Hallingbury as defined on the ULP Proposals Map, the appeal site does not lie within the village, but within the land outside it defined as Green Belt. The supporting text to Policy S6 explains that in such areas development will only be permitted if it accords with national policy on Green Belts.

5. The existing garage is of modest single storey height, with hipped roof, appearing as a subservient detached building to the side of the existing dwelling. The proposed additions would more than double the footprint of the building and due to the size and design of the additions, incorporating a higher, fully pitched roof, would considerably increase its bulk. These would comprise disproportionate additions to the existing building.
6. The appellant suggests that the proposal should be considered under the Framework paragraph 154(g) exception, which relates to limited infilling or the partial or complete redevelopment of previously developed land, provided that does not cause substantial harm to the openness of the Green Belt. Whilst the appeal site would fall within the definition of previously developed land as it comprises residential garden outside the built-up area, the proposal itself does not comprise infilling or the partial or complete redevelopment of the land. Thus, it does not fall to be considered under this exception.
7. For the reasons set out above, I find that the proposal would constitute a disproportionate addition to the existing building under Framework paragraph 154(c) and would thus be inappropriate development in the Green Belt.

Effect on Green Belt openness and purposes

8. In terms of the effect on Green Belt openness, given the character of the existing site and its surroundings comprising residential curtilage and adjoining paddocks within which there are a number of existing buildings, including an existing annexe sited immediately to the west of the garage, the effect on openness would be limited. Overall, Green Belt openness would be preserved. In terms of the purposes, given the nature of the site and its location on the edge of a small village, the purpose listed in Framework paragraph 143 (c), to assist safeguarding the countryside from encroachment, is the most relevant one. For similar reasons as stated above, the proposal would not result in any further encroachment of the countryside and in respect of all Green Belt purposes I find that there would be no harmful effect.

Effect on heritage assets

9. The Cottage, which is attached to the dwelling on the appeal site, and Chestnut Green further to the north are both Grade II listed. The significance of these heritage assets is mainly derived from their architectural and historic interest within what is a semi-rural location just beyond the edge of the village. However, the existing garage is sited some distance from them and whilst the proposed additions would be seen within the wider street scene of Motts Green Road they would have a neutral effect on the significance of these assets. Thus, having regard to the duty under S66 of the Planning (Listed Buildings and Conservations Areas) Act, I find that the setting of these nearby listed buildings would be preserved. The proposal

would also satisfy the policies of the Framework which seek to ensure that heritage assets are conserved in a manner appropriate to their significance.

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.

10. As found above, the proposed development comprises inappropriate development, which is, by definition, harmful to the Green Belt and to which substantial harm is to be given in accordance with Framework paragraph 153 and which should not be approved except in very special circumstances.
11. The appellant has clarified that the annexe is required for her married daughter's family including two children one of whom is disabled, wheelchair bound and requires 24 hour care. They currently reside with the appellant's mother, but that home is not suitable for adaptation. The annexe would be a self-build conversion to provide an M4(3) wheelchair accessible dwelling, incorporating two bedrooms on the ground floor for the parents and disabled child and a third bedroom at first floor for the other child. The appellant suggests that such accommodation is not provided for by the market, the only other possible option being through the local authorities' housing waiting list and the proposal would provide the only practical option in the circumstances.
12. However, the appellant has not clarified what other options have been considered. As noted above, there is an existing annexe immediately adjacent to the garage which was built to provide for accommodation for a family member and a carer. It is not clear whether this was for the same family member nor whether consideration has been given to whether this building could be adapted / included for the current needs of the family. Similarly, there is little explanation given regarding the optimum accommodation sought / needed through the proposed conversion and therefore whether a reduced, more proportionate addition to the existing building might still provide for the family's needs.
13. Overall, in these circumstances and whilst noting the particular family circumstances of the appellant, I find that the substantial harm would not be clearly outweighed by other considerations. I am not satisfied that any material considerations have been put forward of sufficient weight to outweigh the very strong public interest in protecting the Green Belt from inappropriate development. Accordingly, very special circumstances do not exist and the proposal would therefore fail to satisfy Policy S6 of the ULP and national Green Belt policy.

Conclusion

14. It is therefore concluded that the appeal should be dismissed.

P B Jarvis

INSPECTOR