



Appeal Decision

Site visit made on 20 June 2025

by **G Ellis BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Appeal Ref: APP/J1915/D/25/3364082

Five Farthings, Redricks Lane, Sawbridgeworth, CM21 0RL

- 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 Mr Stephen Demetriou against the decision of East Hertfordshire District Council.
 - The application Ref is 3/25/0157/HH.
 - The development proposed is the demolition of garage and part demolition of house. Construction of two storey and part single storey rear extensions, alterations to roof form to facilitate loft conversion, including raising the roof height, front and rear facing dormers and front gable. Infilling of front elevation. Alterations and additions to fenestration, doors and cladding. Alteration to first floor front terrace. New pitched roof to replace flat roof on single storey front projection.
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Decision

1. The appeal is allowed, and planning permission is granted for the demolition of garage and part demolition of house. Construction of two storey and part single storey rear extensions, alterations to roof form to facilitate loft conversion, including raising the roof height, front and rear facing dormers and front gable. Infilling of front elevation. Alterations and additions to fenestration, doors and cladding. Alteration to first floor front terrace. New pitched roof to replace flat roof on single storey front projection at Five Farthings, Redricks Lane, Sawbridgeworth, CM21 0RL in accordance with the terms of the application, Ref 3/25/0157/HH, subject to the following conditions: -
 - 1 The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2 The development hereby permitted shall be carried out in accordance with the approved plans: 2448.1/A101 Rev A, 448.1/A102 Rev A, 2448.1/A103 Rev A, 2448.1/A104 Rev A, 2448.1/A105 Rev A, 2448.1/A106 Rev A, 2448.1/A107 Rev A, 2448.1/A108 Rev A, 2448.1/A109 Rev A, 2448.1/A110 Rev A and 2448.1/LP.
 - 3 The exterior of the development hereby approved shall be constructed in the materials specified on the submitted application form/plans.
 - 4 The proposed first floor side window, serving the ensuite, as shown in drawing no. 2448.1/A105 Rev A and 2448.1/A106 Rev A shall be fitted with obscure glass to a minimum degree of obscurity level 3 and non-opening up to 1.7m from the floor level of the room it serves and shall be permanently retained in that condition.

- 5 Prior to the commencement of the development hereby approved, the existing garage as shown on drawing 2448.1/A101 Rev A shall be completely demolished and the materials removed from the site.

Application for costs

2. An application for costs was made by the appellant, Mr Stephen Demetriou, against East Hertfordshire District Council, and this is the subject of a separate Decision.

Main Issues

3. The main issue is: -
 - 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.

Reasons

Inappropriate Development

4. Five Farthings is a detached two-storey property with two large outbuildings to the front, which are linked to the house and provide a playroom and garaging. The existing house itself appears to be unaltered, and there is no planning history of any extensions, except for the garage, which is proposed for removal.
5. The National Planning Policy Framework (the Framework) establishes that development within the Green Belt should be regarded as inappropriate unless one of the specified exceptions applies. Exception (c), as set out in paragraph 154 of the Framework, allows for the extension and alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building. Policy GBR1 of the East Herts District Plan 2018 (EHDP) defers to the Framework. Neither defines “disproportionate additions”, which is therefore a matter of judgment.
6. Although there are some slight differences in the figures, both parties indicate that the increase in footprint compared to the original building would be approximately 42%. There would be a significantly larger increase in floor area; the council suggests approximately 75%, while the appellant suggests 69%. This would primarily be as a result of utilising the roof space, although alterations to the roof form and the addition of dormer windows are proposed.
7. There would be an increase in the depth of the property to the rear, and the ridge height would be raised, together with the introduction of a crown roof element. There would also be some additional massing through the introduction of pitched roofs over the existing flat roof elements and some infilling, but which do not directly add to the floor area.
8. Currently, the appeal property has a relatively simple form, it sits within a large plot and is part of a row of properties to the north of Redricks Lane. Visually, the alterations would fundamentally change its appearance. Although it would not be out of keeping, and from the front, the scale of the building would not substantially change. The bulk of the additions would be integrated and consumed as part of the two-storey form. Individually, the single-storey rear extension and the dormer

windows would be in proportion to the building, and the other elements add articulation and visual interest.

9. In my view, the extent of the additions to the property are on the cusp of what could be considered disproportionate. The existing garage, however, is to be removed as part of the proposal and could be secured through a condition. The property would therefore effectively return to its original composition, and there would be no other cumulative additions.
10. The removal of the garage would result in a reduction of approximately 43sqm of built form. The distribution and form of the proposed development, which would be most notably visible at the roof level, is very different to that of the existing garage. Nevertheless, due to its forward position, the loss of the garage would open up the frontage, and there would be a consolidation of built form on the site. This would be beneficial to the open character and visual amenity of the green belt.
11. Thereby, on balance and having regard to the development as a whole, I find that the proposal would not constitute disproportionate additions over and above the size of the original building. Accordingly, it would not be inappropriate development in the Green Belt. The development would thereby accord with EHDP policy GBR1 and the Framework (paragraph 154c).

Other Matters

12. References and comparisons are made to an earlier scheme that was refused. The details of which are not before me, and I have, in any event, considered the proposal on its own merits in relation to the development plan and the material considerations before me.
13. Having found that the proposal would not lead to inappropriate development, it is not necessary to separately consider the impact on openness or if other considerations amount to very special circumstances. As such, I have not given further consideration to the potential fallback related to permitted development rights. I am nonetheless conscious that permitted development rights are not generally restricted in the Green Belt, and that the removal of the garage also contributes to my findings. Permitted development rights are, however, restricted for outbuildings in a forward position, and thereby they do not offer an opportunity to re-provide a building similar to the garage through such provisions.

Conditions

14. The conditions are those which have been suggested by the Council. In addition to the standard timescale condition, I have imposed a condition specifying the relevant plans for certainty. I have also imposed a condition which requires the materials to accord with the application details in the interest of the character and appearance of the property and the wider area. To safeguard privacy a condition is necessary to restrict the window in the side elevation to obscure glazing. Additionally, as referenced above, a condition is required to secure the removal of the garage.

Conclusion

15. I have found that the proposal would not represent inappropriate development in the Green Belt and thus, the proposed development would accord with the

development plan and the Framework. Having regard to all other matters raised, I therefore conclude that the appeal should be allowed.

G Ellis

INSPECTOR