



## Appeal Decisions

Site visit made on 12 November 2019

**by Anne Jordan BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 9<sup>th</sup> December 2019**

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### Appeal A

**Appeal Ref: APP/A1910/W/19/3233151**

**Granary Cottage, Flaunden, Hemel Hempstead HP3 0PP**

- 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 Mrs MacGregor against the decision of Dacorum Borough Council.
  - The application Ref 4/00493/19/FHA, dated 4 March 2019, was refused by notice dated 13 May 2019.
  - The development proposed is a single storey rear extension.
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### Appeal B

**Appeal Ref: APP/A1910/Y/19/3233150**

**Granary Cottage, Flaunden, Hemel Hempstead, HP3 0PP**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Mrs MacGregor against the decision of Dacorum Borough Council.
  - The application Ref 4/00494/19/LBC, dated 4 March 2019, was refused by notice dated 13 May 2019.
  - The works proposed are a single storey rear extension.
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### Decisions

1. The Appeals are dismissed.

### Procedural Matter

2. The Council described the development at a single storey side extension. As the appellant's description is more accurate, I have used this in my decision.

### Main Issues

3. The main issues are:
  - Whether the proposal is inappropriate development for the purposes of the *National Planning Policy Framework* (the Framework) and development plan policy;
  - The effect of the proposal on the openness of the Green Belt and the character and appearance of the area; and
  - Whether the works and development proposed would preserve the Grade II listed building known as Granary Cottage, or any features of special architectural or historic interest that it possesses, and whether the proposal

would preserve or enhance the character or appearance of the Flaunden Conservation Area.

- If the development is inappropriate, 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 necessary to justify the development.

## **Reasons**

*Is the proposal a disproportionate addition in the Green Belt?*

4. The Framework sets out that new buildings in the Green Belt are inappropriate unless, amongst other things, they relate to the extension of an existing building and that this does not result in a disproportionate addition to the original building. The original building is clearly defined in Annex 2 of the glossary to the Framework as "A building as it existed on 1 July 1948, or, if constructed after 1 July 1948, as it was built originally." Saved Policy 22 of the of the Dacorum Borough Local Plan (Local Plan) also seeks to resist disproportionate additions in the Green Belt by requiring that extensions are limited in size. Policy CS5 of the Dacorum Core Strategy (Core Strategy) allows for small-scale development within the Green Belt including limited extensions to existing buildings.
5. Granary Cottage is a detached cottage, which has been extended following the grant of permission for a two-storey side and rear extension in 1992. The floorplans show that this extension more than doubled the original floor area of the cottage. The appellant does not dispute the Council's contention that the appeal proposal would increase the total floor area of the property by 10m<sup>2</sup> and that cumulatively, the extensions would add 82 m<sup>2</sup> to an original floor area of 64m<sup>2</sup>. Regardless of the relatively limited size of the addition, as the original extension more than doubled the original floor area, any further additions would result in a disproportionate addition to the original building. Furthermore, the cumulative amount of development would far exceed the parameter set out in policy 22, which defines a limited extension as resulting in an extended dwelling which is less than 130% of the floor area of the original dwelling.
6. Accordingly I find that the proposal does not fall within any of the stated exceptions in paragraph 89 of the Framework and so I must conclude that the proposal would comprise inappropriate development. The Framework is clear that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. This harm must carry substantial weight against the proposal.

*Effect on the openness and character of the Green Belt*

7. The proposal would be visible in some limited views from adjoining properties and from Flaunden Hill, where despite the position of the boundary hedge, open views of the south and west facades of the building are readily available. However, the extension would be seen against the background of the host dwelling within the setting of an relatively spacious garden. Due to its limited size and domestic context it would have a commensurately limited effect on the openness of the Green Belt and the established character of the Green Belt in

this location. I therefore find no conflict with guidance in the Framework in this respect.

*The effect on heritage assets*

8. S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. S72(1) of the Act requires special attention to be had to the desirability of preserving or enhancing the character and appearance of that area. Policy CS27 of the Core Strategy seeks to protect and where appropriate enhance the integrity of the setting and distinctiveness of heritage assets and this reflects the statutory duties defined in the Act.
9. Granary Cottage is a Grade II Listed building, first listed in 1986 and located in the heart of the village. The original structure dates from the late 17<sup>th</sup> Century, with later additions in the 18<sup>th</sup> Century and most recently in the 1990's. The original structure is a very small timber framed cottage, with red brick infilling. In views into the site this older part of the building is clearly discernible, the newer addition appearing much larger than the original cottage, entirely altering the context in which the original asset would have been perceived. The south facing elevation which comprises the former front façade of the original cottage has a pleasingly symmetrical appearance and the older exposed timber frame and prominent external chimney are notable features. Nevertheless, the significance of the asset is derived from the antiquity of part of its fabric, as an attractive example of a building of its type and in the contribution the building makes to the wider street scene.
10. The proposal comprises the addition of a small single storey extension, on the western façade of the building. The parties dispute whether this is best described as the side, or rear elevation of the building as the main entrance to the property has now been moved to the east facing façade on Birch Lane. As the back door now sits on the west, it would, to my mind, be logically referred to as the rear. Nevertheless, as the property sits on an intersection at the centre of the village both the south and east facing facades are prominently visible and contribute to the character of this part of the Flauden Conservation Area.
11. The extension would be predominantly glazed, with oak posts and a small section of brick walling. The extension would not involve the loss of any of the building's original fabric and when viewed from the west the scale and position of the addition would sit comfortably within the recess formed by the projecting gable. However, in views from the south, from Flauden Hill, the contemporary form of the predominantly glazed side profile would appear incongruous when viewed alongside the historic core of the building. Although it would be relatively low it would project beyond the existing western building line and would be prominently visible from Flauden Hill. In these views the erosive effect on the quality of the southern facing façade would be clearly evident. As this is an attribute which contributes to the significance of the listed building, the proposal would harm that significance. It would also have a small but nonetheless harmful effect on the appearance of the Conservation Area in this location.
12. The harm that would arise would be "less than substantial". The *National Planning Policy Framework* (the Framework) directs that when considering the

impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. I therefore attribute considerable importance and weight to this harm, which the Framework also indicates should be weighed against the public benefits of the scheme.

13. The proposal would provide the property with a dining kitchen. The existing kitchen is relatively modest but not so small as to be unusable. The floorplan also indicates that the property has a separate dining room in addition to other living accommodation on the ground floor. The requirement for a dining kitchen is therefore a personal preference for the home owner and is not essential to secure adequate living conditions. I therefore give no weight to the matter as a public benefit. It follows that there are no public benefits identified which would outweigh the harm to the significance of the Listed Building, and to a lesser extent, the Conservation Area. It follows that the proposal would fail to comply with national policy outlined in the Framework and with policy CS27 of the Core Strategy.

*Very Special Circumstances*

14. The appellant has advised that the materials of the addition could be altered if necessary. Such a major change to the scheme would not, to my mind be appropriately dealt with by a planning condition and in any case would not overcome concerns regarding the size of the addition. I therefore give this matter no weight.
15. It follows that the very special circumstances necessary to outweigh the identified harm to the Green Belt, and any other harm, do not exist in this case. Accordingly the proposal is contrary to Green Belt policy contained within the Framework. It also conflicts with Policy 22 of the Local Plan and CS5 of the Core Strategy. It would also fail to comply with national policy in the Framework which seeks to preserve the significance of heritage assets and would conflict with Policy CS27 of the Core Strategy as it would harm the significance of the grade II Listed Building known as Granary Cottage, and also to a lesser extent the Flaunden Conservation Area.
16. Therefore, for the reasons given above, and having regard to all other matters before me, I dismiss the appeal.

*A Jordan*

INSPECTOR