The Planning Inspectorate

Appeal Decision

Site visit made on 3 October 2018

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 15th October 2018

Appeal Ref: APP/X1925/D/18/3207434
The Folly, Willian Road, Great Wymondley SG4 7ET

- 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 Mike Bradly-Russell against the decision of North Hertfordshire District Council.
- The application Ref 18/01233/FPH, dated 3 May 2018, was refused by notice dated 26 June 2018.
- The development proposed is the erection of a double garage and bike store.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a double garage and bike store at The Folly, Willian Road, Great Wymondley SG4 7ET in accordance with the terms of the application, Ref 18/01233/FPH, dated 3 May 2018, 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 following approved plans: 17805/10 Rev D and 17805/11.

Procedural Matter

2. Since the submission of this appeal the revised National Planning Policy Framework (the Framework) has been published but raises no new issues.

Main Issues

3. It is considered that the main issues are (a) whether the proposal would be inappropriate development for the purposes of the Framework and development plan policy and (b) the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

Inappropriate Development

4. The proposed development includes the erection of a modest sized timber garage on an existing concrete base within the front garden of a residential property located within the Green Belt and the Great Wymondley Conservation Area. The Framework refers to the construction of new buildings in the Green Belt as inappropriate development unless they accord with the identified exceptions. Policy 2 of the North Hertfordshire Local Plan 1996 with Alterations

(LP) echoes national policy concerning inappropriate development in the Green Belt but the Framework is the most up-to-date expression of policy.

5. Reference is made by the appellant to LP Policy 3 which refers to single dwellings being erected within the built core of a settlement. In this case the proposed development does not include the erection of a single dwelling and, as such, the appeal scheme is not assessed against this policy.

6. However, the Framework does allow the erection of new buildings where they represent limited infilling in villages. Part of the appellant's case is that the appeal site is within the settlement. No details have been provided about whether a formal built-up area or settlement boundary has been defined for the village, including pursuant to Policy SP5 of the North Hertfordshire Submission Local Plan (2011-2031). Even if such a formal boundary has been identified in this emerging plan it would be given limited weight because it is not yet part of the development plan.

7. Although not a formal settlement boundary, it was observed during the site visit that the Conservation Area generally covers the built-up area of Great Wymondley. The appeal site can reasonably be considered as being land within the built-up area. By reason of its siting within the curtilage of an existing residential property, modest size and relationship to other built forms of development, the proposed garage could reasonably be regarded as being limited infilling within a village. Accordingly, it is concluded that the appeal scheme would not be inappropriate development in the Green Belt and, as such, it would not conflict with LP Policy 2 and the Framework.

Character and Appearance

8. The curtilage of the appeal property is open and verdant and provides a transition between the settlement and the wider open countryside. The scale and siting of the proposed garage would not diminish the open and verdant character of the property's curtilage. Further, the appeal scheme's siting, design and choice of materials would not result in a conspicuous or incongruous form of development within the property's curtilage and it would not detract from the visual amenity of the adjacent open countryside. The screening effect of the vegetation along the road and within the curtilage would reduce any adverse visual impact.

9. There is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. No details about the heritage significance of the Conservation Area have been provided by the parties. Based upon what was observed, the significance appears to be associated with St Mary the Virgin Church, earthworks of a former motte-and-bailey castle, thatched cottages, Delamere House and other older buildings such as Long Close, Manor Farm and The Green Man public house. The siting, design and choice of materials would not adversely harm the identified heritage significance of the Conservation Area and would preserve the area's character and appearance which comprises a mix of building types and open spaces.

10. Long Close is a Listed Building and is adjacent to the appeal site. In determining this appeal there is a requirement that special regard is had to the desirability of preserving this Listed Building or its setting or any features of special architectural or historic interest which it possesses. The significance of

this designated heritage asset has, again, not been provided by the parties but appears to be related to both its age and design, including its timber frame with rendered walls. By reason of the separation distance between the proposed garage and the Listed Building and the relationship with the adjoining outbuilding, the appeal scheme's design, materials and siting would preserve the setting of Long Close.

11. The assessment of the effects of the appeal scheme on the designated heritages assets reflects the absence of an objection from the Council on heritage grounds to the proposed development. Accordingly, for the reasons given, it is concluded that there would no unacceptable harm caused to the character and appearance of the surrounding area and, as such, no conflict would arise with the heritage and high quality design policies of the Framework.

Conditions

12. The Council has suggested a condition requiring the proposed development to be constructed in accordance with the submitted drawings. For reasons of certainty such a condition is necessary including because it identifies the proposed external materials. Accordingly, and taking into account all other matters, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR