The Planning Inspectorate

Appeal Decision

Site visit made on 5 December 2016

by Les Greenwood MRTPI

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

Decision date: 19th December 2016

Appeal Ref: APP/C1950/D/16/3158078

2 Church Cottages, Bibbs Hall Lane, Ayot St Lawrence, Welwyn, Hertfordshire AL6 9BZ

- 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 Jon Welch against the decision of Welwyn Hatfield Council.
- The application Ref 6/2016/0244/HOUSE was refused by notice dated 15 June 2016.
- The development proposed is the replacement of an existing twin, double pitched roof with a single double pitched roof.

Decision

1. The appeal is dismissed.

Main issues

2. The main issues are:

   i) whether the proposal constitutes inappropriate development in the Green Belt;

   ii) its effects on the openness of the Green Belt, on the setting of the Grade I listed Ayot St Lawrence Church and on the character and appearance of the Ayot St Lawrence Conservation Area; and

   iii) if it is inappropriate development, whether the harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations – and if so whether this would amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development in the Green Belt

3. 2 Church Cottages is a modestly sized semi-detached house set in a large plot within a countryside setting in the Metropolitan Green Belt, on the fringe of the dispersed village of Ayot St Lawrence. There is also a timber annexe building here, set well to the side of the house. At present, this is a low, unassuming single storey building with twin gables. The proposal would unify these gables into a single, much taller roof structure. No new upper floor is proposed although the building as extended would be tall enough to accommodate a first floor.

4. Paragraph 87 of the National Planning Policy Framework advises that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 explains that construction of new buildings should be regarded as inappropriate in the Green Belt, except for listed exceptions. These include (amongst other things) *extensions to buildings* provided that these do not result in disproportionate additions over and above the size of the original building. The Framework represents a more up to date expression of policy than Policy RA3 of the Welwyn Hatfield District Plan 2005 (DP), which allows for *extensions to dwellings* where these would not be disproportionate.

5. I understand that the annexe was formerly a garage and has been extended previously, but have no information detailing the original extent of the building. The proposal would not increase the footprint or floorspace any further, but the height and volume of the building would grow substantially, creating a much more bulky structure. Even if the building had not been extended before, I would still find that the proposal would represent a disproportionate addition to this fairly modest outbuilding.

6. In terms of DP Policy RA3, I note that the house has also been extended previously. The increase to the annex would further and substantially increase the volume of development on site. I find that this would be disproportionate to the original dwelling.

7. The proposal therefore constitutes inappropriate development in the Green Belt, conflicts with the DP Policy RA3 and is by definition harmful to the Green Belt. I give this harm substantial weight in determining this appeal, in accordance with paragraphs 87 and 88 of the Framework.

Openness, listed building and conservation area

8. The 2 cottages and the listed church sit in an isolated position on the fringe of this small village, surrounded by countryside. The existing annexe is visible from the churchyard and the lane. It is, however, low enough to almost disappear within its garden setting. In contrast the proposed extension would make the building a prominent feature, tall enough to challenge the cottages in visual terms. Due to its bulk and height, it would erode the physical and visual openness of this part of the Green Belt. It would also detract from the open, rural character of this little developed part of the conservation area.

9. The Council finds no harm to the setting of the listed church. I agree that the annexe building would be set far enough away from the church to avoid such harm, though it clearly would not enhance the church's setting either.

10. I conclude that the proposal would cause harm to the openness of the Green Belt and to the character and appearance of the conservation area. It therefore conflicts with the aims of DP Policies D1, D2 and RA3 and the Council's Supplementary Design Guidance, to protect the openness of the Green Belt and the character and appearance of conservation areas.

Very special circumstances

11. The proposed use of traditional materials would certainly help to reduce the proposal's impact and help it to fit into the area better than it might otherwise. I note that the existing roofs are in need of replacement and recognise that the long valley between the roofs is a maintenance liability. The appellant further submits that the proposal would make the building more thermally efficient, but I am not convinced that the introduction of a higher roof would be necessary for this to happen.

12. Finally, I understand that the Council has recently granted planning permission to convert a nearby water tower to flats. I have no details of that case, however, and it appears to be a much different proposal in a different situation. I have considered this case on its own merits.

13. Having considered all matters raised, I conclude that the factors set out in favour of the proposal are not sufficient to clearly outweigh the harm due to inappropriateness, the harm to the openness of the Green Belt and the harm to the character and appearance of the conservation area. I find that the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist in this case, so that the proposal conflicts with the above-mentioned policies.

Conclusion

14. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR