

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: 20th December 2016

Appeal Ref: APP/C1950/D/16/3160090

16 East View, Essendon, Hatfield AL9 6HJ

- 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 Gary Johnson against the decision of Welwyn Hatfield Council.
 - The application Ref 6/2016/0113/HOUSE was refused by notice dated 13 July 2016.
 - The development proposed is a first floor extension over an existing garage, a 1.2m part rear 2 storey extension and conversion of the garage into a new kitchen.
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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 effect on the openness of the Green Belt, on the character and appearance of the local area and on the setting of the grade II listed Essendon School; 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. 16 East View is a semi-detached house located within a mainly residential street on the edge of the village of Essendon, which is washed over by the Green Belt. It originally had some outbuildings to the side, but these were replaced some years ago by a flat roofed garage extension. The proposal, as amended during the course of the application, is to build a first floor over the garage with an addition of about 1.2m to the rear, wrapping slightly around the back of the existing house.
 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
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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. Policy RA3 of the Welwyn Hatfield District Plan 2005 (DP) similarly allows for extensions to dwellings where these would not be disproportionate.

5. Neither the Framework nor DP Policy RA3 gives any guidance on the interpretation of the scale of extensions that would be *disproportionate*. Taken together with the previous garage extension, this new extension would represent a cumulative net floorspace increase of about 48 to 50%. This is a sizeable increase. I have not been provided with percentage figures for the proposed increase in built volume, but it appears that the combined extension as proposed would be a substantial structure in comparison to the fairly modest scale of the original house and outbuildings. On balance, I consider the scale of proposed increase to be disproportionate.
6. 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, character, appearance and setting of listed building

7. 16 East View sits at the end of a row of similar houses on one side of the street, backing onto a golf course. A public footpath runs along the side of the property, with the grounds of the listed school beyond. The school is a long, low, mid-20th Century, concrete and glass, flat roofed, system-built building of modern form and character. It is set well away from No 16, with a newer children's centre and playground in between.
8. The houses on this side of East View are set below street level and good views are available to the golf course and countryside through the gaps between the houses, over the tops of side extensions. The proposal, though low in height for a 2 storey structure, would partially block views to trees beyond, detracting to some extent from the open feel and semi-rural character of the street. The structure would also, in physical terms, add significantly to the built form of the local area, detracting from openness.
9. The proposed design is effectively a flat roofed 2 storey structure, partly concealed by a pitched roof at the front and side. The appellant compares it to an extended 2 storey dormer, but due to the rear extension it would be much more than a dormer window construction. It would have an awkward form that would be seen in angled views from the street and from the footpath and children's playground to the side. There is a tall hedge along the side boundary, which because of a high ivy content would screen many of these views, even in winter. I cannot, however, rely on the long term existence of that landscape feature. The extension would have a dominant visual impact on the views from the footpath if that hedge was to be cut back, thinned or removed.
10. To the rear the modern, highly glazed design of the extension would contrast strongly with the typically domestic design of the house. The appellant argues that this would help create a visual transition between the school with its flat

roof and larger openings and the more traditional domestic architecture of the houses on East View. I see no need for such a transition, however, as the houses are already well separated from the school in spatial and visual terms. The form and detailing of the proposed extension would not sit well with that of the house.

11. The listed school's historical and architectural interest does not demand a wide setting. As stated above, the building is well separated from No 16. I therefore find no undue impact on the setting of the listed building.
12. Despite this last finding, I conclude that the proposal would harm the openness of the Green Belt and the character and appearance of the local area. In this respect, it conflicts with the aims DP Policies D1, D2 and RA3, the Council's Supplementary Design Guidance and the Framework, to protect the openness of the Green Belt and to secure high quality design that respects and relates to the character and context of the area.

Very special circumstances

13. The appellant refers to other houses on East View where larger extensions have been allowed by the Council, largely due to consideration of the fall-back position created by permitted development allowances. Those other extensions that I have details of are to the rear, rather than to the side. This seems to me to be a very different situation, as the permitted development rights for 2 storey rear extensions appear to have been effectively negated in those cases by the built extensions. In contrast the appeal proposal would not displace the main permitted development rights for rear extensions at No 16. I give this fall-back position little weight in this case.
14. I recognise the appellant's reasonable wish to improve the family home. Nevertheless, having considered all other 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 local 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

15. 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