

Appeal Decision

Site visit made on 16 January 2017

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 25th January 2017

Appeal Ref: APP/J1915/D/16/3161811

Revels Croft Farmhouse, Wadesmill Road, Hertford SG14 3HJ

- 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 Jim Morrissey against the decision of East Herts Council.
 - The application Ref 3/16/1776/HH was refused by notice dated 4 October 2016.
 - The development proposed is described on the application form as 'Existing single-storey dwelling converted into double-storey by extension to front & vertically by additional upper floor. New balcony and dormer windows to upper floor. New freestanding double garage.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Due to the spelling on the application form differing from that on the appeal form, at my site visit I confirmed that the Appellant's surname is as given in the heading above. The description of development on the application form refers to a freestanding double garage. However, this was omitted from the proposal during the Council's consideration of the application and is not therefore part of the scheme to be considered in this appeal.

Main issue

3. The main issue in this appeal is whether the proposed development amounts to inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (The Framework) and development plan policy and, if so, 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

Inappropriate development

4. The appeal concerns a detached dwelling located within the Green Belt where Government policy in the Framework identifies development that would not be inappropriate. The extension or alteration of a building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building.
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5. East Herts Local Plan Second Review, April 2007, Policy GBC1 identifies limited extensions in accordance with Policy ENV5 as not being inappropriate in the Green Belt. Outside certain settlements, as in this case, Policy ENV5 seeks to prevent extensions that by themselves or cumulatively with other extensions would disproportionately alter the size of the original dwelling.
6. In Annex 2 of the Framework the term 'original building' is defined. This is said to be a building as it existed on 1 July 1948, or if constructed later, as it was built originally. The Council indicates that except for a small conservatory that would be removed the dwelling has had no previous extensions. Therefore the existing dwelling, disregarding the conservatory, comprises the original building.
7. The bungalow has a relatively low height with a shallow pitched roof. However, in order to enable first floor accommodation, the dwelling would have its ridge height significantly raised. In consequence, the roof would be a relatively dominant feature with an appreciably steeper pitch and greater expanse. By contrast with the existing fairly low key roof it would give the property a noticeably more top heavy appearance.
8. The higher eaves levels of the extended dwelling would also tend to emphasise the undue additional bulk. The part at the southern end would have an even higher ridge and eaves level than the northern part, making it particularly dominant. While the footprint would largely remain unchanged there would be a noticeable increase at the south eastern end, further adding to the increase in bulk and size. The perceived bulk and mass would not be significantly limited by the use of timber cladding to vary the external facing materials.
9. As a consequence of the above factors, it is concluded that the scheme would result in disproportionate additions to the original building. The proposal therefore comprises inappropriate development in the Green Belt. It is recognised that reaching a conclusion on this matter inevitably involves a degree of subjective judgement. Nevertheless, this must be done in order to apply the relevant policies.

Openness of Green Belt

10. The openness of the Green Belt results from an absence of built development. The additional height, together with the increased footprint, would result in significant additional built volume and bulk. In consequence, the openness of the Green Belt would be materially reduced. It is explained in the Framework that the essential characteristics of Green Belts are their openness and permanence. As a result, significant harm would be caused to the openness of the Green Belt.

Other considerations

11. The Appellant suggests that the visual impact of the extended dwelling in views from Wadesmill Road would be limited by distance and vegetation. However, openness is not dependent on prominence or visibility and conferring acceptability on this basis could result in much development taking place within well screened locations which would erode the Green Belt. In any event, I saw at my site visit that the increased bulk would be apparent in views from Wadesmill Road despite the distance and vegetation anyway. A condition requiring retention of existing vegetation would not therefore prevent this.

12. The Appellant indicates that the scheme was revised following comments from the Council and it was understood that the application would not be refused. However, there is no documentation to indicate any support from the Council. In any event, this would not be binding and I must consider this appeal on its own merits.
13. The design and access statement refers to matters such as the creation of more bedroom and recreational space, the creation of an open plan living space and allowing more sunlight into the property. However, there is nothing to show that the existing building is subject to any deficiencies that seriously compromise its use as a dwelling that would be remedied by the development.
14. Whilst not of any particular architectural merit, the existing dwelling has a reasonably cohesive appearance and is not unsightly. I am not persuaded that the enlarged dwelling would result in any significant visual benefit.
15. In consequence, these considerations are not afforded anything other than fairly limited weight in favour of the appeal.

Conclusion

16. Harm would be caused to the Green Belt as a result of inappropriate development and a loss of openness. In accordance with Paragraph 88 of the Framework substantial weight should be afforded to this harm. Due to the limited weight attached to them, it is concluded that other considerations do not clearly outweigh the harmful effect of the development. There can, in consequence, be no very special circumstances and the proposal would be contrary to the Framework policies concerning the Green Belt. There would also be conflict with the relevant development plan policies. It is therefore determined that the appeal fails.

M Evans

INSPECTOR