

Appeal Decision

Site visit made on 4 May 2017

by Martin H Seddon BSc DipTP MPhil MRTPI

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

Decision date: 19 May 2017

Appeal Ref: APP/C1950/D/17/3170283

107 Newgate Street Village, Hertford, SG13 8QR

- 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 and Mrs P & K Snee against the decision of Welwyn Hatfield Borough Council.
 - The application Ref: 6/2016/2547/HOUSE was refused by notice dated 30 January 2017.
 - The development proposed is: single storey side extension and first floor front extension. Internal and external alterations.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are:
 - whether the development would be inappropriate for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - the effect on the purposes of the Green Belt, its openness and visual amenity, and
 - 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 constitute the very special circumstances sufficient to justify allowing the appeal.

Reasons

3. No.107 Newgate Street Village is a two-storey semi-detached dwelling located in a rural area. The dwelling is accessed by a short track and is sited at the rear of residential development that fronts the highway. The Green Belt in this area comprises rolling agricultural land and woodland.
4. The National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The extension of an existing building is not, however, inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. There is no definition of 'disproportionate additions' in the Framework. The 'original building' is as it existed on 1 July 1948 or, if constructed after 1948, as it was built originally.

5. The national policy advice in the Framework has to be read together with the relevant development plan which in this case includes the Welwyn Hatfield District Plan 2005. District Plan policy GBSP1 concerns the area covered by Green Belt, policy GBSP2 defines towns and specified settlements where urban policies will apply. District Plan policy RA3 restricts extensions to dwellings in the Green Belt, including disproportionate additions over and above the size of the original building and where there is adverse visual impact.
6. The Council advises that the original dwelling has been extended in the past, with a cumulative increase in floorspace of 98.3%. The proposed development would increase the floor space of the dwelling by a further 23.2%, with a total cumulative increase in the floor space of the original dwelling of 121.5%. The appellants do not dispute these calculations.
7. The proposed extensions would result in disproportionate additions over and above the size of the original building and would constitute inappropriate development in the Green Belt. As already noted, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Effect on the purposes of the Green Belt, its openness and visual amenity

8. The Framework indicates that the essential characteristics of Green Belts are their permanence and openness. The proposal would not increase the footprint of the building. The single storey side extension would involve alterations to an existing open-sided porch and would have no harmful effect on the openness of the Green Belt. The proposed first floor extension would create a second hipped roofed projection to the front elevation of the building and would extend an existing roof, but with limited harm to the openness of the Green Belt. There would also be minimal harm to the purposes of the Green Belt.
9. Part (ii) of District Plan policy RA3 requires that extensions in the Green Belt do not have an adverse visual impact (in terms of prominence, size, bulk and design) on the character, appearance and pattern of development of the surrounding countryside. The building is not clearly visible from public viewpoints, but is close to the boundary with open countryside. The proposed single storey side extension would not be prominent or add undue bulk to the building. However, the front first floor extension would increase the size and bulk of the building, altering the appearance of the front elevation.

Whether very special circumstances exist

10. The Framework advises that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
11. The appellants submit that the application exhibits a set of very special circumstances based upon the comparisons that they have made with permissions granted for other similar extensions to properties nearby, that combine to outweigh any potential harm to the Green Belt.
12. The appellants refer to appeal ref: APP/C1950/A/07/2037649 concerning an extension to No.117 Newgate Street Village, which lies just to the southeast of

No.107, fronting the main road through the village. In that appeal the Inspector noted that the scheme, when taken with previous extensions, would result in an increase of 140% over the original floorspace. In allowing the appeal the Inspector took qualitative matters into account. I am also advised that the Council has approved permission for a first-floor rear extension to the other half of the semi-detached pair of houses at No.109. Although these examples are material considerations, the particular circumstances differ from those in the appeal proposal. I have determined this appeal on its individual merits, having regard to relevant development plan policies, the Framework and all other material considerations.

13. The proposal for the first-floor front extension would provide a dressing room for the master bedroom, include re-location of the staircase and would allow an 'L' shaped bedroom to be altered to provide a more convenient space. The front first floor extension would alter the design of the dwelling by creating a second two storey projection. The appellant considers that this would provide a more balanced appearance to the building. However, it would result in an increased imbalance to the front elevation of the pair of semi-detached dwellings, because No.109 has a single two storey front projection which matches that at No.107.
14. I find that, in the particular circumstances of this proposal, the harm from inappropriateness and limited harm to the openness and purposes of the Green Belt from the proposed extensions would clearly outweigh the matters put forward by the appellant as favouring the proposal. Very special circumstances do not exist which would justify allowing the proposal and it would conflict with District Plan policies GBSP1, GBSP2 and RA3, and the Framework.
15. I have taken all other matters raised into account. For the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR