

Appeal Decision

Site visit made on 6 June 2017

by J R Bell-Williamson MA MRTPI

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

Decision date: 22 June 2017

Appeal Ref: APP/C1950/D/17/3173498

5 Great North Road, Welwyn, Herts AL8 7TH

- 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 & Mrs T Burke against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2017/0128/HOUSE, dated 20 January 2017, was refused by notice dated 24 February 2017.
 - The development proposed is two storey side extension part single part double rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side extension part single part double rear extension at 5 Great North Road, Welwyn, Herts AL8 7TH. The permission is granted in accordance with the terms of the application, Ref 6/2017/0128/HOUSE, dated 20 January 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 7999-001 Revision P1 (site location plan) and 7999-002 Revision P3 (proposed floor plans and elevations).
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Preliminary Matter

2. The main parties indicate that a previous application for the same form of development was refused (reference 6/2016/1633/HOUSE). While I note this earlier decision, this appeal involves a separate proposal which I have considered on its own merits.

Main issues

3. As the appeal property is within the Green Belt the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework and development plan policy;
 - the effect on the openness of the Green Belt and on the character and appearance of the host dwelling and surrounding area; and
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- if the proposal would be inappropriate development, whether the harm to the Green Belt 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 it.

Reasons

4. The appeal property is a two-storey semi-detached dwelling in a residential road of varied property types. No 5 is part of a small group of dwellings of shared scale and appearance.

Whether the proposal is inappropriate development

5. The National Planning Policy Framework (the Framework) makes clear at paragraph 89 that the construction of new buildings in the Green Belt should be regarded as inappropriate, with a small number of exceptions. One of these is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
6. Despite the fact that it refers to 'dwellings' rather than 'buildings', Policy RA3 of the Welwyn Hatfield District Plan 2005 (the Local Plan) otherwise reflects national guidance. Consequently, I have had regard to both this local policy and more recent guidance in the Framework in determining the appeal. However, neither the Framework nor Policy RA3 quantifies the size or scale of additions that are considered proportionate in relation to an original building.
7. The Council indicates that the existing floorspace of the appeal property is 86m² and that the proposed extensions would increase this to 137m², or by 59%. By this measurement, the proposal would result in a substantive degree of change to the original building. However, assessing proportionality is primarily an objective test based on size and, therefore, floorspace is not the only possible measure of the degree of change. It is instructive to compare any changes to the original physical size and scale of a building, including the degree of bulk or mass that might be added.
8. The single storey rear extension and front porch would both be relatively small-scale additions that would not add significant bulk to the building. The main effects, therefore, relate to the two storey rear and side elements. These would have a lower roof height than the original building and would not extend fully across the rear and side elevations. The sideward projection would be limited and would not upset the proportions of the existing dwelling. Despite the additional depth to the rear, the lower roof height and single storey element would ensure that the extensions appeared subservient to the existing dwelling.
9. For these reasons, and despite the extent of the additional floorspace, the proposed extensions would not result in disproportionate additions over and above the size of the original building. Therefore, I conclude in accordance with the provisions of the Framework and Policy RA3 that the proposal would not be inappropriate development in the Green Belt.

Effect on openness and character and appearance

10. The Framework states that the essential characteristics of Green Belts are their openness and their permanence. The proposal would add built development where currently there is none, so there would inevitably be some effect on the

openness of the Green Belt. However, the dwelling is bounded to front and rear by roads and the setting is a residential garden with other dwellings and buildings in the surrounding area. As found above, the extensions would be proportionate to the scale of the existing dwelling and its curtilage, including the extent of garden that would remain open.

11. The side extension would be the only visible part of the proposal seen from the front of the property. As this would be set back from the front elevation, would have a lower roof height than the original dwelling and would extend sideways to a limited degree it would appear proportionate and subservient. The 'wrap around' roof form to the side would not be so incongruous or visually prominent to cause unacceptable harm. The rear extension would be visible from surrounding gardens but the design and proportions will ensure it integrates with the character and appearance of the existing building.
12. I acknowledge the Council's concern that allowing this proposal could set a precedent for further development. However, I am mindful of the principle that development proposals must be considered on their individual merits and I have found above that no unacceptable harm would result from the current proposal. Any future development proposals would need to be similarly considered on their merits against policies and circumstances pertaining at the time. However, current concerns about such proposals coming forward are not of sufficient weight to lead to a different conclusion with regard to this issue.
13. Accordingly, for these reasons, I conclude that the proposed extensions would not result in unacceptable harm to the openness of the Green Belt or the character and appearance of the host dwelling and surrounding area. Consequently, there is no conflict with the Framework or with Policy RA3, as it relates to the visual effects of development, or with Policies D1 and D2 of the Local Plan, which require high quality design and that development should respect the character of the area.

Other considerations

14. I note that there is an extant permission for largely similar extensions, permitted in March 2016 (reference 6/2016/0136/HOUSE). The main difference is that in the current proposal the two storey rear extension would wrap around the side of the dwelling to form a two storey, rather than single storey, side extension.
15. Given the above findings on the other main issues, which result in the appeal being successful, it is unnecessary to consider this other matter further, particularly whether it represents a credible partial fallback position.

Overall Conclusion

16. I have found above that the proposal would not be inappropriate development in the Green Belt in accordance with paragraph 89 of the Framework and Policy RA3 of the Local Plan. Moreover, there would be no harmful effects on the openness of the Green Belt and the character and appearance of the appeal property and surrounding area. Consequently, there is no conflict with the Framework or with relevant development plan policies and so the appeal should succeed.

Conditions

17. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of development in accordance with the submitted details, one requiring development to be carried out in accordance with the approved plans. I agree also that a condition requiring the external materials used to match those of the existing building is needed in the interests of the appearance of the host dwelling and wider area.
18. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be allowed.

J Bell-Williamson

INSPECTOR