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## Appeal Decision

Site visit made on 25 November 2019 by Andreea Spataru BA (Hons) MA

**Decision by Susan Ashworth BA (Hons) BPL MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 14<sup>th</sup> January 2020**

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**Appeal Ref: APP/C1950/D/19/3235591**

**22 Reynards Road, Welwyn AL6 9TP**

- 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 David Butt against the decision of Welwyn Hatfield Borough Council.
  - The application Ref 6/2019/0824/HOUSE, dated 4 April 2019, was refused by notice dated 31 May 2019.
  - The development proposed is for the erection of single storey side, part first floor and part two storey rear extension and first floor front extensions to the existing roof including alterations to openings.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Main Issues

3. The main issues are:
  - Whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the development plan policy;
  - The effect of the proposal on the openness of the Green Belt;
  - The effect of the proposal on the character and appearance of the host property and surrounding area; and
  - If the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

### Reasons for the Recommendation

*Whether inappropriate development in the Green Belt*

4. The appeal site comprises a chalet bungalow located on the northern side of Reynards Road, within the Green Belt. The Government attaches great
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importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 145 and 146 of the Framework set out the forms of development that are not considered inappropriate within the Green Belt. These include the extension or alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building.

5. What constitutes a disproportionate addition is not defined within the Framework nor within Policy RA3 of the Welwyn Hatfield District Plan or Policy SADM 34 of the Draft Local Plan Proposed Submission 2016. An assessment of whether the proposed extensions would be 'disproportionate' in the context of paragraph 145 is therefore a matter of planning judgement which goes beyond purely mathematical calculations.
6. Both parties agree that, taking into account an element of the existing building which would be demolished, the proposal would increase the footprint of the original dwelling by approximately 30%, and the floorspace by approximately 45%. This in itself represents a sizeable increase in the size of the dwelling. Moreover, in this case, the bulk and massing of the development would be at first floor level which would see an increase of some 70% in terms of its floorspace. To achieve this, the ridge height of the property would be raised, and the form of the roof altered, and there would be a substantial increase in the bulk and massing of the building, particularly at the rear. As such, the proposal would represent a significance increase in both the external dimensions of the building and in the apparent volume of the original dwelling.
7. Consequently, comparing the original dwelling to the dwelling that would result if the proposal were to go ahead, the outcome would be disproportionate. It would therefore be inappropriate development, which according to paragraph 143 of the Framework is, by definition, harmful to the Green Belt.

#### *Openness*

8. The Framework indicates that openness is an essential characteristic of the Green Belt. The development would increase the scale and mass of the dwelling. As a result, both in visual and spatial terms, the openness of the Green Belt would be reduced. Given the scale of the extensions and the extent of the Green Belt, the harm arising from the development in this respect would be limited.

#### *Character and appearance*

9. Policies D1 and D2 of the Welwyn Hatfield District Plan (2005) require new developments to respect and relate to the character and context of the area and the design of the developments should incorporate the design principles and policies in the Plan and the guidance contained in the Supplementary Design Guidance (SDG). The SDG provides more specific guidance for residential extensions and states that, amongst other things, extensions should be designed to complement and reflect the design and character of the dwelling and be subordinate in scale.
10. The appeal property is a modest dormer bungalow with a simple pitched roof incorporating a dormer window and a modest single storey projecting element at the rear which would be demolished. The proposal represents a substantial re-modelling of the property that includes an increase in the height of the roof

and a substantial two-storey, double gabled extension at the rear, the ridgeline of which would reflect the increased height of the main part of the dwelling.

11. In terms of materials, the ground floor of the dwelling would have a rendered finish and the external walls above first-floor level would have timber weatherboarding. Neighbouring properties vary in terms of scale, design, and materials and I note that there are properties with rendered finish and timber weatherboarding within proximity of the appeal site. Therefore, whilst I note the Council's concern, in this instance the materials in themselves would not make the appeal dwelling appear out of context.
12. However, the rear extension, which would project across most of the width of the property and extend above the eaves of the original building, would appear bulky and disproportionate in terms of its scale and height. Added to that the double gable feature, at the height and projection proposed, would mean that the proposal would not reflect or compliment the form, massing or design of the original building. Rather, it would dominate the property and would thereby detract from its presently modest form and character.
13. I note that the appeal dwelling is set-back from the road. However, given the position of the site within the streetscene, the bulky appearance of the development would be clearly visible. I acknowledge that there is variety of building styles in the immediate vicinity of the site. However, whilst the current dwelling is a modest building, it makes a neutral contribution to the character and appearance of the area. In contrast, the extended building, for the above reasons, would have a negative impact on the appearance of the area.
14. Accordingly, I conclude that through a combination of its design, large size and scale the proposal would result in significant harm to the character and appearance of the host dwelling and the appearance of the surrounding area. Therefore, the development would be contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan and advice in the SDG.

#### *Other considerations*

15. The Framework states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
16. Whilst I understand that the size of development has been reduced in comparison to the previously refused scheme<sup>1</sup>, these amendments are not sufficient to make the appeal proposal appear proportionate to the original dwelling.
17. The Justification Statement submitted as part of the application includes drawings that show what could be built under permitted development rights. The appellant indicates that, under these rights, there could be a potential increase in footprint of the building by 85%, in the floor area by 95%, and in the volume of the property by 88%. However, the degree of weight to be given to the fallback position depends on whether or not the fallback position would be equally or more harmful than the scheme proposed.

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<sup>1</sup> Application ref: 6/2018/3114/HOUSE

18. The fallback position differs from the appeal proposal in that the form of the development in that case would be mostly restricted to single storey elements, with some limited alterations at the first-floor level to the rear. The extensions proposed in the fallback position would appear subordinate to the host dwelling, particularly because of their form and massing in relation to the original dwelling. Consequently, the appeal proposal would cause greater harm to the openness of the Green Belt and the character and appearance of the dwelling than the fallback position, which therefore carries limited weight in support of the appeal.
19. I acknowledge that the proposal would provide sustainable internal living conditions for the appellants. However, good design is a key aspect of sustainability. I am unconvinced that similar benefits could not be provided by a less intrusive proposal and therefore the benefits of the proposal in this case do not outweigh the harm identified. Accordingly, limited weight is given to the matter.
20. I note that neighbours have expressed their support for the development and that no objections have been made by third parties. However, a lack of objections is not a determinative factor.

*Whether very special circumstances necessary to justify the proposal exist*

21. To conclude, the appeal proposal would be inappropriate development in the Green Belt, which would, by definition, be harmful to the Green Belt. It would also cause limited harm to the openness of the Green Belt and would be detrimental to the character and appearance of the host property and of the surrounding area. The Framework requires that substantial weight is given to any harm to the Green Belt and that '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.
22. Despite having regard to all the other considerations put before me, I consider that taken together, the factors cited in its favour do not clearly outweigh the harm the scheme would cause. Consequently, very special circumstances do not exist, and the proposal would conflict with the Framework and Policy RA3 of the Welwyn Hatfield District Plan.

### **Conclusion**

23. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*Andreea Spataru*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

24. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*Susan Ashworth*

INSPECTOR