



Appeal Decision

Site visit made on 22 September 2020

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 20th October 2020

Appeal Ref: APP/J1915/D/20/3254615

8 Windmill Cottages, Cold Christmas Lane, Thundridge SG12 0SL

- 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 M Leaford against the decision of East Hertfordshire District Council.
 - The application Ref 3/20/0031/HH, dated 9 January 2020, was refused by notice dated 15 April 2020.
 - The development proposed is a ground floor front extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to any relevant development plan policies and the revised National Planning Policy Framework ("the Framework");
 - The effect on the openness of the Green Belt;
 - If the proposal is inappropriate development, 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 required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

3. The appeal site lies within the Green Belt. The proposed extension would house new living areas within the dwelling.
4. Policy GBR1 of the East Herts District Plan (2018) ("the EHDP") sets out that planning applications within the Green Belt will be considered in line with the provisions of the Framework.
5. The Framework states, at paragraph 143, that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of exceptions as set out in paragraph 145. One of the exceptions 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. Taking into account some small differences between the calculations of the appellant and the Council, the proposal would result in a cumulative increase in the floor area of the original building of between approximately 54% and 58%. Its footprint would be increased by approximately 85%-90%, and its volume by approximately 48%-51%.
7. Whilst my attention has not been drawn to any local policy provisions concerning acceptable increases in property size in this regard, the proposal would result in a substantial increase in the overall size of the dwelling even if the lower figure is used in each case. This would amount to disproportionate additions over and above the size of the original building.
8. I am here required to assess the effect of extensions, including that which is proposed, which have been added to the original building. Accordingly, the proportion of the plot as a whole which would be occupied by the dwelling's floor area if the scheme were constructed has only minimal relevance to the considerations before me.
9. As a result of the above factors, the proposal would be inappropriate development in the Green Belt and, in this regard, it conflicts with Policy GBR1 of the EHDP and with the Framework.

Effect on the openness of the Green Belt

10. Paragraph 133 of the Framework states that 'the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'. Openness has both spatial and visual dimensions.
11. The openness of the Green Belt is clearly evident around the row of dwellings. The scheme would increase the volume of the property, and would extend built form over land which is currently undeveloped. As a result, it would erode the openness of the Green Belt in spatial terms. The harm to openness would be limited due to the relatively modest scale of the proposal.
12. The host dwelling is set within a row of similar dwellings with linear front gardens. Garden land within the row has a variable degree of visibility from the road due to the presence of mature trees, hedgerow, walls and fences within some properties. Furthermore, some of the dwellings have extensions, porches and garden paraphernalia. As a result of these factors, the visual spaciousness that the front gardens contribute to their setting is limited.
13. The appeal proposal is a single storey extension which would adjoin the two-storey dwelling and which would have a significant set back from the road due to the length of the front garden, allowing for a level of remaining openness which would be characteristic of its surroundings. Hedgerow, fences and trees within gardens would limit visibility of the proposal. Therefore as a result of its scale, location and setting the proposal would have no adverse visual effect on openness.
14. Green Belt necessarily adjoins large built-up areas, and the purpose of Green belt policy is to control their sprawl. The proposal would extend the built form of the settlement into land in the Green Belt which is currently open, and

therefore it would result in the sprawl of a large built-up area. Thus, the classification in local policy of the particular type of settlement within which the appeal site lies cannot exempt the proposal from the provisions of Green Belt policy.

15. There is minimal indication that other extension schemes in the vicinity were considered according to the same policy provisions. Accordingly, I consider that there are likely to be material differences between the other developments and the appeal proposal. As a result, I attach minimal weight to them in determining the appeal.
16. Thus, the proposal would have a greater impact on the openness of the Green Belt in spatial terms than the existing development at the site. This harm would be limited due to the relatively modest scale of the proposal.

Other considerations and the Green Belt balance

17. I have found that the proposal would be inappropriate development in the Green Belt. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
18. The acceptability of the proposal according to other local policy and the lack of objection of the parish council are neutral matters which do not attract weight. I have not identified any other considerations which would weigh in favour of the proposal in the Green Belt balance. Thus, I find that the other considerations in this case do not clearly outweigh the harm that I have identified.
19. As a result, the very special circumstances necessary to justify the development do not exist. Thus, for the reasons given above, I conclude that the appeal should be dismissed.

C Beeby

INSPECTOR