The Planning Inspectorate

Appeal Decision

Site visit made on 11 November 2020

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2020.

Appeal Ref: APP/C1950/D/20/3260570
Heathfield, 1 Pottersheath Road, Welwyn AL6 9TA

- 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 S Oxley against the decision of Welwyn Hatfield Borough Council.
- The application Ref 6/2020/0546/HOUSE, dated 25 February 2020, was refused by notice dated 31 July 2020.
- The development proposed is ground and first floor rear extensions.

Decision

1. The appeal is allowed and planning permission is granted for ground and first floor rear extensions at Heathfield, 1 Pottersheath Road, Welwyn AL6 9TA in accordance with the terms of the application, Ref 6/2020/0546/HOUSE, dated 25 February 2020, subject to the following conditions:

   1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans:

      PL01P1, PL02P1, PL05P2, PL06P1, PL08P1 and PL09P2.

   3) The materials to be used in the external finish of the extension hereby permitted shall match those of the host dwelling.

   4) Notwithstanding the provisions of Classes A to D of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification) no extensions to or enlargements of the dwelling shall take place without planning permission first being granted by the Local Planning Authority.

Background

2. The appeal dwelling lies within the Green Belt and it has already been the subject of several extensions. The Appellant accepts that the proposed extension, when considered cumulatively alongside the earlier enlargements, would amount to '*disproportionate additions over and above the size of the original building*' and therefore is 'inappropriate development' as defined by the National Planning Policy Framework (NPPF).

3. The NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special

circumstances. It goes on to direct that substantial weight should be given to any harm to the Green Belt and 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.

Main Issues

4. Against the above background, the main issues in this case are as follows:

- The effect of the proposal on the character and appearance of the host dwelling and the openness of the Green Belt; and
- Whether the harm by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Character and appearance and openness

5. The appeal relates to a substantial dwelling set within a large plot. It is an attractive house with first floor rooms predominantly within the roofspace and a taller, deeper full two storey section to the southern end. A single storey glazed conservatory type structure spans a large proportion of the rear elevation.

6. The proposed extension would largely replace the existing conservatory addition, but would be built over two floors with rooms within the roof. According to the figures provided by the Council, it would be some 4.7 metres deep and over 18 metres wide. The roof profile of the rear facing section of the extension would broadly replicate that of the main body of the existing dwelling. In order to achieve this, the section of extension roof which would run alongside the existing ridge would be flat or 'crowned'. This would be 'bookended' by the existing two storey section at southern end of the dwelling and the proposed projecting gable at the northern end. As a result the crown roof would not be readily visible.

7. As explained, there is no dispute that when seen alongside the existing additions, the proposed extension would amount to a disproportionate addition over and above the size of the original building. However, I am of the view that its overall design would sit comfortably against the host dwelling. Furthermore, whilst the increased massing at first floor level would inevitably have some impact on the openness of the Green Belt, the extension would be well contained and would be largely seen against the backdrop of the existing large dwelling. It stands to reason that some impact on openness is permissible in order for residential extensions to take place. In this particular case and context, I am satisfied that the overall effect would be limited.

8. In light of the above factors, I find that the extension would not detract from the character and appearance of the host dwelling. In this respect, I find no conflict with the overall aims of saved policies D1 and D2 of the Welwyn Hatfield District Local Plan (LP) which promote high quality design appropriate to its context. In addition, I am satisfied that it would not unduly harm the openness of the Green Belt and in this respect, I find no conflict with the

overall aims of saved policy RA3 of the LP and policies SP3 and SADM34 of the Draft Local Plan Proposed Submission which seek to protect the Green Belt.

Other considerations

9. The appellant points to the fact that the appeal property could be extended significantly under the provisions of permitted development. A two storey rear extension and single storey side extension (Ref. 6/2019/0318/LAWP) along with a single storey rear extension and side extension (part of which repeats the single storey side extension) (Ref. 6/2019/3189/PN8) have been confirmed by the Council as being capable of being constructed without the need for planning permission.

10. The Council accepts that these extensions, if built, would provide significantly more floorspace and more built development than the appeal proposal. I note the Council's argument that the majority of built development arising from the fallback position would be at ground floor level. Nonetheless, if built, these extensions would result in a more sprawling and disjointed form of development, than the proposal before me.

11. The appellant asserts that these extensions would be built if the proposed development could not take place and this is not disputed by the Council. It seems to me that the fallback position has a reasonable prospect of taking place and it is a material consideration to which I attach very significant weight.

Overall Conclusions

12. I conclude that although the proposed extension amounts to inappropriate development in the Green Belt, it would be of acceptable design. It would be more in keeping with the character and appearance of the host dwelling than the fallback position which is capable of taking effect under the provisions of permitted development. It would also have no materially greater impact on the openness of the Green Belt. I consider these factors to clearly outweigh the harm by reason of inappropriate development and amount to the very special circumstances necessary to justify the proposal.

13. In addition to the standard conditions which limit the lifespan of the planning permission and direct that the development takes place in accordance with the approved plans, the Council has suggested just one other condition in the event the appeal succeeds. I agree that the external finishes of the extension should match those of the host dwelling in order to ensure a visually acceptable development. In addition, the Appellant has suggested a condition to remove the permitted development rights which allow for the extension and enlargement of the dwelling. This is necessary given the justification for the proposal.

14. In allowing the appeal, I shall impose conditions accordingly.

David Fitzsimon

INSPECTOR