

Appeal Decision

Site visit made on 25 November 2020

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2021

Appeal Ref: APP/J1915/D/20/3250300

4 Hadham Park Cottages, Cradle End, Little Hadham SG11 2EH

- 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 Frank Harvey against the decision of East Herts Council.
 - The application Ref 3/19/2441/HH, dated 27 November 2019, was refused by notice dated 22 January 2020.
 - The development proposed is two storey side extension, single storey rear extension, side porch and relocated access and driveway.
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Decision

1. The appeal is dismissed.

Main Issues

2. 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
 - 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

3. The appeal property is a two storey semi-detached dwelling within the small village of Cradle End. The village includes a limited number of detached and semi-detached dwellings and is located in an open rural setting.

Whether the Proposal is Inappropriate Development

4. The National Planning Policy Framework (the Framework) makes clear that the construction of new buildings in the Green Belt should be regarded as inappropriate, with a small number of exceptions¹. One of these is the

¹ Paragraph 145.

- extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building².
5. The Council refers to Policy GBR1 of the East Herts District Plan 2018, which states that planning applications within the Green Belt, as defined on the Policies Map, will be considered in line with the provisions of the National Planning Policy Framework. Accordingly, I have had regard to this policy as well as to the Framework.
 6. The Council indicates that the original building had a floor area of just under 72m². This has increased by just under 13% to just over 81m² as the result of an additional 9m² floor area created to the side of the dwelling. Taken together with this previous addition, the area of the proposed extensions would amount to a nearly 89% increase to the size of the original building.
 7. The appellant provides a different set of measurements, based on a different understanding of the original built form of the appeal property and taking account of a former outbuilding. By this calculation the original building had an area of just under 78m². The appellant also calculates the area of the proposed extensions differently and concludes that these would be just over 72m². The conclusion reached is that the current proposal would amount to a 64.5% increase between the original and extended building.
 8. Despite these differences, the quantitative increase of well over 50% floor area in both parties' calculations is not an insignificant increase by this measure. However, as a general principle and because of the different calculations provided by the parties, the increase in floor area or volume should not be the sole basis for considering whether the proposed extensions would be disproportionate compared to the original building. It is important, therefore, to consider this issue in terms of the scale, bulk, massing and built form that would result from the changes sought.
 9. The existing dwelling, in its largely original form, is a modest two storey brick-built dwelling of limited width and depth. The single storey rear extension would infill the area to the side of the existing rearward projection. It would not, however, alter the existing buildings lines to the side or rear. Given this fact and its single storey height it would not add substantive bulk or mass to the existing dwelling.
 10. The two storey extension would be of the same depth as the existing main part of the dwelling, with a slightly lower roof ridge. However, as it would be the same width as the existing dwelling it would effectively double the frontage of the host dwelling, adding considerable bulk to the modest proportions and scale of the appeal property. This change would, therefore, result in a materially larger dwelling that would appear twice the size of its original built form.
 11. Accordingly, I conclude that due to both the quantitative increase in size and, in particular, the physical effects of the proposed two storey extension, the proposal would result in a disproportionate degree of change to the original building. It would, therefore, be inappropriate development for the purposes of

² Paragraph 145c).

Policy GBR1 and the Framework referred to above, which is, by definition, harmful to the Green Belt.

Effect on Openness

12. The Framework states that the essential characteristics of Green Belts are their openness and their permanence³. I have found above that the proposed two storey side extension would add bulk to the host dwelling, although the development would occur within a self-contained residential curtilage, which is bounded on each side by existing dwellings.
13. There is a generous gap between the appeal property and the nearest dwelling, which would largely be retained. I note the appellant's contention that the extension would be seen against a backdrop of development that falls outside the Green Belt. Nonetheless, the appeal site is within the Green Belt and the extent of the main extension, which would double the width of the host dwelling, would result in a reduction spatially to the openness of the Green Belt in this location. As such, there would be some harm to the Green Belt in this regard, to which the Framework indicates that substantial weight should be given⁴.

Other Considerations

14. The appellant refers to other considerations in support of the appeal. I acknowledge that the proposed extensions are intended to create additional living space, but these personal circumstances are not sufficient to outweigh the harm to the Green Belt that has been found with regard to the first and second main issues. I accept that the design and materials for the extensions would be of good quality, but similarly this does not outweigh the harm found above.
15. It is also contended that the proposal would better balance the pair of semi-detached dwellings, because of the two extensions that have been undertaken to the adjoining property. I acknowledge that this neighbouring dwelling is considerably larger than the appeal property. However, I am unaware of the detailed reasons why these extensions were permitted or the nature of local development plan policies in place at the time, although I accept that the national policy background might not have been substantively different to now.
16. I am required to consider the current proposal based on its merits and the physical circumstances pertaining to the site currently. Due to the size of the neighbouring property, I consider that the changes that have been undertaken are disproportionate in their own right. Moreover, creating an even larger overall building in the interest of a better visual balance, where this would have the harmful effects to the Green Belt found above, is not sufficient reason to outweigh that harm.
17. Therefore, while I have carefully considered these other considerations they are not a sufficient reason to outweigh the harm to the Green Belt and conflict with national and local policies that I have found would result from the proposal.

³ Paragraph 133.

⁴ Paragraph 144.

Overall Conclusion

18. The proposal would represent inappropriate development, which is, by definition, harmful to the Green Belt. It would also result in some harm to Green Belt openness in this location.
19. There are no other considerations raised in support of the development that would outweigh the harm identified to the Green Belt. Therefore, very special circumstances do not exist and permission should not be granted as the proposal is contrary to the development plan and to the Framework. Accordingly, for the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR