



Appeal Decision

Site Visit made on 2 September 2020

by S Thomas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2021

Appeal Ref: APP/J1915/D/19/3241083

Home Farm, 76 Bramfield Road, Datchworth, SG3 6RZ

- 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 Chris Bullock against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/1581/HH, dated 26 July 2019, was refused by notice dated 20 September 2019.
 - The development proposed is two storey side extension with dormers.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - (ii) the effect of the proposal on the openness of the Green Belt; and
 - (iii) whether any harm 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 the development.

Reasons

3. Paragraph 144 of the Framework states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.

Inappropriate Development

4. The Framework states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the Framework outlines that the construction of new buildings should be regarded as inappropriate development. Exceptions include 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. The relevant development plan policy that deals with development in the Green Belt is Policy GBR1 of the East Hertfordshire District Plan (2018) (DP). This is consistent with the Framework.

5. The appeal property is a substantial detached dwelling. The original dwelling had a floorspace of approximately 118sqm, however it has been subject to a number of additions, including a single storey front and side extension, single storey rear extension, dormer, front extension, and porch. I understand that the cumulative extensions to the property represent an increase in floorspace over the existing dwelling of approximately 139.1%. The appeal proposal would increase this figure to approximately 185%. Clearly, the additions to the property have substantially altered the form and size of the original dwelling. The appeal proposal would increase the size further and would result in a disproportionate increase in the size of the original dwelling.
6. The appellant does not dispute that previous extensions have increased the size of the dwelling. Given the existing additions to the original property, and that the additional floorspace of 55 sqm proposed by the appeal would in itself amount to an approximate 46% increase over the original floorspace, the further increase in the size of the development would cumulatively amount to a disproportionate addition to the size of the building. The proposal would fail to accord with Paragraph 145 (C) of the Framework and would therefore represent inappropriate development in the Green Belt. The proposal would therefore also conflict with Policy GBR1 of the DP.

Openness

7. Paragraph 133 of the Framework states that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. It indicates that openness is an essential characteristic of the Green Belt. Whilst there is no definition of 'openness' it can be taken to mean an absence of buildings or other forms of development. Openness can have both a visual and spatial dimension.
8. The appeal property is located amongst an area of development along Bramfield Road. The spacious grounds and the surrounding open fields contribute to the visual and spatial openness of the Green Belt. The proposed extensions would increase the footprint and volume of the dwelling as well as its scale and mass creating a horizontal emphasis to the front elevation. By increasing the scale massing and size of the building it would reduce spatial openness to some extent.
9. Whilst there would be limited visibility of the extension from the main road it would be experienced visually from surrounding properties particularly the residential property and garden to the north and would be likely visible from surrounding fields. Whilst the site would retain spacious gardens and views through the site, the increased massing of the property would increase its bulk. This would reduce the level of spaciousness on the site and lead to an, albeit limited, reduction in visual openness. Although the reduction in spatial and visual openness would be limited and localised, the proposal would fail to preserve the openness of the Green Belt.

Other Considerations

10. I acknowledge that the proposal would be of a suitable design. However, I do not agree that the additional bulk and resulting horizontal emphasis to the front elevation would improve the appearance of the property. I also note the proposal would be acceptable in relation to parking and effect on neighbouring occupiers. However, the absence of harm in this regard is a neutral matter. Similarly, whilst nearby properties have benefited from large extensions, I am not aware of the particular planning circumstances, nor how these relate in terms of proportionate increases over the original dwelling.
11. I note there was a large agricultural building at the site as part of the previous Mushroom Farm. It is not clear when this was demolished. In any event, whilst removal of this building would have increased openness at the site, my assessment of openness relates to the how the proposed development relates to the original building which is the subject of the appeal. As such, this does not weigh in favour of the proposed development.
12. In addition, the appellant refers to a theoretical possibility, using permitted development rights to provide an additional 45 sqm of floorspace. Even if I were to accept this was the case, he indicates this would not amount to good design. Consequently, as I am not convinced the appellant would pursue such a scheme, I do not consider this a genuine fallback position. Accordingly, I attach limited weight to this in favour of the proposed development. Finally, whilst permitted development rights could be restricted to prevent future extensions to the dwelling, I accord this benefit limited weight.

Green Belt Balance

13. Substantial weight must be given to the harm to the Green Belt due to the inappropriate nature of the proposed development and the, albeit, limited harm that this would cause to openness. On the other hand, the other considerations identified above attract limited weight in favour of the proposed development. Therefore, I find the other considerations in this case do not clearly outweigh the harm to the Green Belt that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. Accordingly, the proposal would conflict with Policy GBR1 of the DP and the Framework.

Conclusion

14. For the above reasons, the appeal is dismissed.

S Thomas

INSPECTOR