



Appeal Decision

Site Visit made on 9 March 2021

by R Sabu BA(Hons), BArch, MA, PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 31st March 2021

Appeal Ref: APP/C1950/W/20/3263502

14 Great North Road, Welwyn, AL6 0PL

- 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 Ms. L. Lucas against the decision of Welwyn Hatfield Council.
 - The application Ref 6/2020/1427/FULL, dated 18 June 2020, was refused by notice dated 1 September 2020.
 - The development proposed is erection of a single storey side extension, front porch infill extension and extension of existing ramp access.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I note the Welwyn Hatfield Borough Council - Draft Local Plan Proposed Submission August 2016. However, since there is no certainty that it will be adopted in its current form, I attribute the policies within limited weight.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the revised National Planning Policy Framework (Framework) and any relevant development plan policies;
 - 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 building; and
 - would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriateness

4. The Framework advises that, other than in connection with a small number of exceptions, inappropriate development is, by definition, harmful to the Green Belt and should not be permitted except in very special circumstances. 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 is listed as one of the exceptions.
5. The site contains the host building, a garage and a summer house. Since the exception in the Framework refers to extensions of a building, the two outbuildings,

while in close proximity, are clearly separate from the main building and therefore do not constitute extensions.

6. There is a dispute between the main parties over the age of the lean-to extension to the rear of the host building. No substantial evidence is before me that clearly demonstrates precisely when the extension was erected. Taking the appellant's position as a bench-mark by including the floor area of the lean-to extension as part of the original building, and the summer house as an existing extension, the proposed side extension would result in an increase of floorspace of around 66%. Even if the floor space of the summer house was excluded as an extension of the original building, the proposed side extension would still amount to roughly half of the floor space of the original building including the rear lean-to extension as part of the original building.
7. As such, since the extension would significantly increase the floor area of the original building even in a best-case scenario, I consider the increase in floorspace to be a disproportionate addition.
8. The front extension and ramp extension would have a modest footprint and therefore would not individually constitute disproportionate additions.
9. Consequently, the proposed development would be inappropriate development in the Green Belt having regard to the revised Framework and any relevant development plan policies. Therefore, it would conflict with Policy RA3 of the Welwyn Hatfield District Plan Adopted 2005 (DP) which requires that extensions to existing dwellings would not individually or when considered with existing or approved extensions to the original dwelling, result in a disproportionate increase in the size of the dwelling. It would also conflict with the Framework in this respect.

Openness

10. The proposed single storey side extension would significantly increase the width of the host building. The false roof would hide the flat roof and have a ridge height significantly lower than that of the existing building. The eaves height would also match that of the host building, and I acknowledge that the roof tiles and fenestration would match the existing. However, since the proposed side extension would nevertheless significantly increase the size of the original building in terms of footprint and width, it would result in an adverse effect on the spatial openness of the Green Belt.
11. The side extension would be sited in front of an existing garage which has a considerably greater height. However, since there is limited development above ground on the land on which the extension is proposed, the scheme would result in some reduction of visual openness. It would therefore conflict with the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open.
12. Consequently, the proposed development would unacceptably harm the openness of the Green Belt. Therefore, it would conflict with the Framework in this respect.

Character and appearance

13. The host building has a low height and modest proportions such that it has a pleasant modest character and appearance. The low height and significant width of the proposed false roof would result in awkward proportions that would appear at odds with the existing building. As such, while the proposed false roof would hide

the flat roof behind and would match the existing roof in terms of pitch and tile type, the proposed side extension would appear discordant against the host building.

14. The angle, height, fenestration and materials of the proposed front extension would match that of the existing building, and I note that the front extension is intended to appear prominent. However, given its height and projection, the front extension would visually dominate the front elevation of the host building, harmfully altering its modest character and appearance. The scheme would therefore have an adverse effect on the character of the immediate vicinity around the building.
15. Consequently, the proposed development would harm the character and appearance of the host building. Therefore, it would conflict with DP Policies D1 and D2 which seek development that are high quality and respect and relate to the character and context of the area. It would also conflict with the Framework in this respect.

Other considerations

16. I note the evidence regarding the childcare nursery facility and the key and emergency workers who are regular customers of the facility. I also acknowledge the failure of the premises to meet relevant standards both taking account of and irrespective of requirements resulting from the Covid-19 pandemic. In addition, I note the evidence regarding the other nurseries and the need to provide better facilities, as well as the implications for the business if this appeal is dismissed. Whilst I do not question the concerns, there is little substantial evidence before me to demonstrate that there are no other avenues available or which justify the harm to the Green Belt in this instance. Therefore, I attribute these points limited weight in favour of the development.
17. I note the evidence regarding a conservatory that has been demolished. However, I have necessarily considered the existing extent of physical built development on the site as the basis for comparison for the purposes of paragraph 145 (c) of the Framework. While I also note the evidence regarding the efficient use of land, given the limited scale of development, I attribute this point limited weight in favour of the development.

Conclusion

18. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to the 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. Given the limited weight attached to the evidence regarding nursery provision, the substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate very special circumstances.
19. For the reasons given above, the proposal conflicts with the development plan and in the absence of any material considerations to indicate otherwise the appeal should be dismissed.

R Sabu INSPECTOR