



Appeal Decision

Site visit made on 12 April 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 May 2021

Appeal Ref: APP/C1950/D/20/3262013

57 The Ridgeway, Cuffley, Potters Bar EN6 4BD

- 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 & Mrs Wagg against the decision of the Welwyn Hatfield Council.
 - The application Ref 6/2020/1768/HOUSE, dated 17 July 2020, was refused by notice dated 14 September 2020.
 - The development proposed is to increase ridge height to provide full first floor. Two storey side and rear extensions, with front porch canopy.
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Decision

1. The appeal is allowed, and planning permission is granted to increase ridge height to provide full first floor. Two storey side and rear extensions, with front porch canopy at 57 The Ridgeway, Cuffley, Potters Bar EN6 4BD, in accordance with the terms of application Ref: 6/2020/1768/HOUSE, dated 17 July 2020, and 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 materials used in the development hereby approved shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: LP01; SP01; P101; and P102

Main Issues

2. The appeal site is in the Green Belt. Consequently, the main issues are:
 - i) whether the proposal would constitute inappropriate development in the Green Belt;
 - ii) the effect of the proposal on the openness of the Green Belt;
 - iii) the effect of the proposal on the character and appearance of the surrounding area; and
 - iv) if the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons

Inappropriate development

3. The fundamental aim of Green Belt policy in the National Planning Policy Framework (the Framework) is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
4. Paragraph 143 of the Framework states that inappropriate development is, by definition, 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 development in the Green Belt. However, an identified exception to this 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.
5. The term 'disproportionate' is not defined within the Framework, and no definition is provided within the development plan. However, the common understanding is something that is either too large or too small in comparison with something else, with the comparison in this appeal being with the original building. The original building consists of a double fronted, chalet style bungalow. When viewed from the front, it has two single storey projections either side of the central entrance, with two dormer windows located within the large roof slope. To the rear, the roof sits above a two-storey masonry wall, albeit with a central section of flat roof. Accordingly, the gable end has a clipped appearance.
6. The proposal would build above the existing footprint, increasing the ridge and eaves height to create a two-storey dwelling. The two forward projections would remain, albeit with an additional storey of accommodation above it and a single storey porch extension would also be constructed. When viewed from the rear, the dwelling would appear as a full two storey property. Due to the scale of the proposed extensions, they would entirely transform the appearance and size of the building, converting it from a chalet style bungalow to a two-storey house. This would have the effect of creating a significantly larger and more imposing structure and when assessed against the original building, I am satisfied that the proposal would result in disproportionate additions over and above the size of the original building.
7. Consequently, I conclude that the proposal would represent inappropriate development within the Green Belt. It would therefore fail to accord with the Green Belt protection aims within the Framework as well as Policies GBSP1 and RA1 of the Welwyn Hatfield District Plan (2005) (DP).

Openness

8. The appeal building is situated within a built-up frontage which consists of residential properties of a variety of sizes and scale. Despite this frontage, there are gaps between and over buildings which enable views to the expansive countryside beyond. The appeal proposal would demonstrably increase the height of the building. Accordingly, it would introduce built form in an area which currently provides open space. The proposal would therefore reduce the openness of the Green Belt. However, due to the built up context within which

the appeal site is located, I am satisfied that the effect on, and harm to, openness would be very limited.

Character and appearance

9. As identified above, the existing building is a chalet style bungalow located within an established built up frontage which exhibits distinct variety in the height and scale of dwellings. Due to the individuality of the existing buildings, there is no specific uniformity within the street, although a rhythm to the built form is provided by the consistency of the domestic properties with space between them.
10. In refusing planning permission, the Council have made reference to their 2005 Supplementary Design Guidance (SDG). Within this document, the Council requires that extensions should be designed to complement and reflect the design and character of the dwelling and be subordinate in scale. The proposal would turn the chalet bungalow into a substantial two storey dwelling and in doing so, it would demonstrably change the appearance of the building. Accordingly, the extensions would not be subordinate to the existing building. In this respect, the proposal would be at odds with the requirements of the SDG although the proposal would retain the plan form of the building as well as the two prominent front projections. In this respect therefore, although it would become a substantially larger property, the building would still borrow from its previous form.
11. Despite my findings above, when establishing design principles, the SDG is clear that the context of a site is crucial, and that the design and layout of development should be informed by the wider context. In addition, Policy D1 of the DP requires design to be of a high quality and does not specify more onerous requirements on proposed extensions.
12. As identified above, the context of the appeal site is one of houses which vary architecturally in terms of scale and height. When considered in this context, the extended dwelling would complement the variety found within the street. The proposed height and scale would be compatible with those around it, and accordingly, the extended building would sit harmoniously within the street scene. The Council's concerns regarding the extent of the proposed crown roof are noted. However, the building already has a smaller version of a similar form, and due to the height and extent of the roof, I am satisfied that views of the proposed roof would not dominate the property or the street scene. As a consequence, the proposal would be contextually appropriate.
13. Accordingly, I conclude that the proposal would not harm the character and appearance of the surrounding area. It would therefore accord with Policy D1 of the DP as well as the thrust of the SDG which together, seek high quality, contextual design.

Other considerations

14. The appellant has supplemented the proposal with details of pressing family circumstances that drive the need for additional living accommodation. Based on the evidence before me, I find these circumstances compelling. The extensions would bring with them significant improvements for the quality of life for family members. In addition, they would likely provide necessary

independence in future years thereby providing a more sustainable property for the family.

15. The Framework is quite clear that social objectives are a fundamental element of achieving sustainable development. Accordingly, I give great weight to the benefits that have been identified by the appellant.
16. Paragraph 144 of the Framework requires that substantial weight be given to any harm to the Green Belt, and that 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.
17. I have found that the proposal would represent inappropriate development within the Green Belt. It would also result in some very limited harm to the openness of the Green Belt. In accordance with Paragraph 144 of the Framework, I give these matters substantial weight. However, the proposal would not harm the character and appearance of the surrounding area. It would also help deliver some fundamental and necessary improvements for the existing occupants which would provide significant and demonstrable social benefits. Based on the evidence before me, this is a matter to which I attach more than substantial weight. Indeed, I am satisfied that it is a level of weight which would clearly outweigh the harm to the Green Belt.
18. Accordingly, I conclude that the other considerations are such that very special circumstances do exist to justify the proposal.

Conditions and Conclusion

19. In light of my findings set out above, conditions are necessary in the interests of precision and clarity to establish the time limit for commencing development, as well as to list the approved drawing numbers. In addition, to ensure a suitable external finish, a condition relating to matching materials is also necessary.
20. For the reasons identified above, the appeal should be allowed, and planning permission granted.

Martin Chandler

INSPECTOR