
Appeal Decision

Site visit made on 18 May 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Friday, 04 June 2021

Appeal Ref: APP/C1950/D/21/3266935

Little House, West End Lane, Essendon, Hertfordshire AL9 6AU

- 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 Mrs L. Hodson against the decision of Welwyn Hatfield Borough Council.
 - The application Ref: 6/2020/1546/HOUSE, dated 21 June 2020, was refused by notice dated 23 October 2020.
 - The development proposed is the removal of the existing garage to form two storey extension to road end of the house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would represent an inappropriate development in the Green Belt;
 - the effect of the development upon the openness of the Green Belt;
 - the effect of the development upon the character and appearance of the surrounding area; and
 - if the development is inappropriate, whether the 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

Whether inappropriate development

3. The appeal site is in the Green Belt. The development plan, in Policy GBSP1 of the Welwyn Hatfield District Plan (2005) (the District Plan) states that the Green Belt should be maintained. Policy RA3 of the District Plan requires that extensions are not disproportionate additions. This is consistent with The National Planning Policy Framework (the Framework), which regards the erection of new buildings in the Green Belt as generally being inappropriate.

4. There are some exceptions to this that are listed in Paragraph 145 of the Framework. From the evidence before me, the key matter for this appeal is whether the proposal represents a proportionate extension to the dwelling.
5. The proposed development would comprise a two-storey side extension, which would be viewed in conjunction with a previous two-storey extension. For the purposes of this appeal, the original dwelling is defined as its proportions in 1948. In result, both the existing side extension and the proposed development before me are both counted as being additions to the building.
6. There is some debate regarding the percentage increase in the building resulting from both extensions. However, even if I were to agree with the figures suggested by the appellant, the development would, in conjunction with the previous development, result in a significant increase in the form of the dwelling. Due to the extension taking place over both the ground and first floors of the building.
7. The appeal site contains a garage. Whilst this would be removed, the resultant extension would have a significantly greater bulk and mass than the existing structure. Therefore, it would not have the same level of effects. In result, the presence of the existing garage does not overcome my previous concerns.
8. In addition, the proposed development would result in an elongated dwelling due to its extensions on both sides. In result, the proposed development would result in a dwelling with a significantly greater massing than was originally constructed. This means that the proposed development would appear to be a disproportionately large extension.
9. I am aware of previously permitted extensions at the neighbouring properties. I do not have the full information regarding their planning circumstances before me, which lessens the weight that I can attribute to them. Nonetheless, the judgement regarding whether a proposed extension is a disproportionate dwelling is made based on the relative proportions of the proposal and the specific original dwelling. In result, the presence of previous permissions does not have a bearing upon my assessment in this regard.
10. I therefore conclude that the proposed development would represent an inappropriate development in the Green Belt. The development would therefore conflict with the requirements of District Plan Policies GBSP1 and RA3, and the Framework.

Effect on the openness of the Green Belt

11. The appeal site is located on the periphery of the village and is close to the road. The most common form of development within the vicinity is for dwellings to have a set back from the highway edge. The appeal site is also located upon a hill.
12. By reason of the increased form of development, the proposed development would result in an adverse effect upon the spatial sense of openness that is an intrinsic feature of the Green Belt. This is particularly noteworthy as the proposed development would be readily apparent from the surrounding area and would not be screened.
13. In addition, the development would result in the existing dwelling being extended closer to the road than the existing dwelling. Owing to the height of

the proposed extension, the development would result in an enclosing effect upon this section of the highway. This would therefore erode the physical character of the openness that is a feature of the Green Belt.

14. In consequence, the increase in the built form of the building, and subsequent diminishing of openness would conflict with the purposes of including land within the Green Belt. These are set out in Paragraph 134 of the Framework. In particular, the development would result in encroachment into the countryside owing to the increase in built form. Due to the type of development proposed, I am unpersuaded that this would contribute towards a regeneration objective.
15. I therefore conclude that the proposed development would have an adverse effect upon openness. The development would therefore conflict with Policy RA3 of the District Plan, and the Framework. Amongst other matters, these seek to ensure that the openness of the Green Belt is retained and that developments do not have adverse visual impacts.

Character and appearance

16. The appeal site consists of a detached dwelling located on the periphery of the village. Owing to the dwellings being set back from the highway, the appeal site and the neighbouring dwellings are complimentary towards the more rural surroundings of the site's wider surroundings. Dwellings within the surrounding area are constructed to traditional designs.
17. The proposed development would extend the dwelling closer to the highway. This would mean that the proposed development would erode the character of the surrounding area given that the dwelling would appear closer to the edge of the highway. This would mean that the proposal would create a more urbanised form that would conflict with the rural surroundings of the appeal site.
18. In addition, the appeal proposal would extend the dwelling towards the neighbouring dwelling (known as Norcott) The development would therefore erode the character of gaps between dwellings and the road. This would mean that the development would create a notable increase in the built form and a loss of the more rural and open character of the surroundings.
19. In addition, the proposed development would feature blank elevations given the absence of windows, particularly on the front elevation at first floor level. In result, the proposal would not be complimentary towards the traditional form of architecture that is a feature of the appeal site and the surrounding areas.
20. I note that the design of the development has been informed by a more functional style of architecture. However, the design of the proposal would conflict with the prevailing character of the immediately surrounding buildings, which contains several different door and window openings.
21. These factors are of concern given that the proposal would be very prominent owing to the topography of the surrounding area. In addition, the site is near to the road and a footpath. This means that the adverse effects of the proposed development have the potential to be experienced by many people. Therefore, the detrimental effect upon the character and appearance of the surrounding area would be readily apparent.

22. The proposal would be of a reasonably subordinate design due to the reduced ridge height and set back from the front elevation. However, this does not offset my previous concerns.
23. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development would therefore be in conformity with the requirements of Policies D1 and D2 of the District Plan and the Council's Supplementary Design Guidance (2005). Amongst other matters, these seek to ensure that new developments be of a high quality of design; and relate to and respect the character of the surrounding area.

Other considerations

24. I understand that planning permission was granted several years ago for some different alterations including an extension in the location of the proposed development. The evidence before me indicates that the permission for this extension remains extant. Despite the significant passage of time, I have no reason to believe that the permission will never be fully implemented.
25. However, I note that the extant proposal features a different design and has a recessed element. In consequence, this reduces the bulk and massing of the proposed development and therefore does not have the same effect on openness as the appeal proposal would have. I therefore give this matter a limited amount of weight.
26. Whilst the proposed development would result in a dwelling that would support an increase in the number of people of resident at the property in a more modern environment, the overall effect is tempered by the fact that a smaller dwelling would be lost. This might be attractive to a smaller household. In consequence, this matter can only be given a limited amount of weight.

Other Matters

27. The appeal site is within the Conservation Area (the CA) and adjacent to a Listed Buildings referred to as Norcott, Beggars Roost and Sherwoods. It is a requirement that developments do not impinge upon the historic significance of these heritage assets. However, as I have found harm arising from the Main Issues, I do not need to give this matter further consideration at this juncture.

Planning Balance and Conclusion

28. The development plan and Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
29. I have concluded that the appeal scheme would be inappropriate development and would, by definition, harm the Green Belt. In so doing I have found harm to the openness of the Green Belt. Paragraph 144 of the Framework requires substantial weight to be given to any harm to the Green Belt.
30. The other considerations I have identified individually and collectively carry a limited weight in favour of the proposal. As such the harm to the Green Belt is

not clearly outweighed by the other considerations identified, and therefore the very special circumstances necessary to justify the development do not exist.

31. In addition, the proposal would also harm the character and appearance of the area. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR