



Appeal Decision

Site Visit made on 8 June 2021 by Mr G Sibley MPLAN MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2021

Appeal Ref: APP/C1950/D/21/3268635

Sawmill Cottage, Water End Lane, Ayot St. Peter, Welwyn AL6 9BB

- 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. C. Hunt against the decision of Welwyn Hatfield Council.
 - The application Ref 6/2020/2852/HOUSE, dated 27 October 2020, was refused by notice dated 24 December 2020.
 - The development proposed is first floor side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (the Framework). Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. The comments received have been taken into consideration in my assessment of this case.
4. The Council's refusal reasons refer to policies from the Welwyn Hatfield Borough Council - Draft Local Plan Proposed Submission August 2016. This emerging Plan is not adopted and there is no certainty that it will be adopted in its current form. Accordingly, I attribute the policies within it limited weight.

Main Issues

5. The appeal site is located within the Green Belt. Accordingly, the main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the revised Framework and any relevant development plan policies; and
 - The effect of the proposal on the character and appearance of the host dwelling.

Reasons for the Recommendation

6. The building is a semi-detached dwelling located in Ayot Green which is a rural settlement with sporadic development located along narrow country lanes. The dwelling has a single storey side extension and to the south of the dwelling is a modern timber garage.

Whether inappropriate development

7. The Framework establishes that new buildings within the Green Belt are inappropriate subject to a number of exceptions (paragraph 149). Criteria c) of the paragraph 149 states the extensions or alterations to a building provided that it does not result in disproportionate additions over and above the size of the original building would not be inappropriate development in the Green Belt. The Framework notes that the original building is a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
8. Policy RA3 of the Welwyn Hatfield District Plan (adopted 2005) (DP) is broadly consistent with the Framework in this regard and requires such extensions to not have an adverse visual impact on the character, appearance and pattern of development of the surrounding countryside.
9. What constitutes a disproportionate addition is not defined within the Framework nor within Policy RA3 of the DP or Policy SADM 34 of the Draft Local Plan Proposed Submission 2016. An assessment of whether the proposed extension would be 'disproportionate' in the context of paragraph 149 is therefore a matter of planning judgement.
10. Whilst the Council and Inspectors in considering earlier appeals on the site took into account the size of the detached garage building within the grounds of the property when assessing proportionality, I have not because this building is clearly detached from, and some distance from the dwelling and does not constitute an extension to it. In reaching this view I am mindful of the wording of Policy RA3 of the DP, however I consider that the reference to outbuildings relates to how they would be assessed if planning permission was required for them, as opposed to including their size in an assessment of proportionality. It is also noteworthy that the supporting text to emerging Policy SADM 34 considers that new free standing incidental buildings further than 5 metres from the dwelling should not be classed as an extension to it, but rather as new buildings in the Green Belt.
11. The proposed extension would be set above the existing single storey extension to the side of the property. It would be narrower than the original building, lower in height and would not extend beyond the front or rear elevation. In this regard the proposed extension, combined with the existing ground floor extension, would be of a subservient scale to the original building and its size would not be disproportionate to it.
12. Consequently, I conclude that the proposal would not be inappropriate development in the Green Belt. As such the proposal would accord with DP Policies RA3 insofar as it relates to the size of the proposal and GBSP1, and the Framework, which together seek to protect the Green Belt from inappropriate development.

13. As the proposal would not comprise inappropriate development in the Green Belt, there is no requirement in national policy to assess the impact of the development on openness.

Character and appearance

14. The host property is an attractive dwelling comprising a steep pitched roof with dormer windows set low within the roofspace. The extension on the side whilst having a shallower roof pitch compliments the character and appearance of the original dwelling.
15. Whilst the proposed extension includes elements of the existing dwelling's design including the crown roof form of the side extension and dormer windows, the resultant development would not reflect the architecture of the host property, introducing a shallow roof form and design which would not be sympathetic to its character or appearance. Moreover, the position of the dormer windows, whilst being of a similar style to the existing, would be located uncharacteristically high within the roof slope and would relate poorly with those on other parts of the dwelling, detracting from the architecture of the host property and its attached neighbour.
16. The resultant extension would, as a consequence, be out of keeping with the character and appearance of the host dwelling and the contribution that it makes to the character and appearance of the area would be reduced as a result. The appellant's desire for additional accommodation does not lead me to find otherwise as it is likely that there are other design solutions available to provide the accommodation required. Consequently, the proposal is contrary to Policies D1 and RA3 of the DP and Policy SP9 of the emerging LP, as well as the Supplementary Design Guidance (adopted 2005) which requires new development to be of high-quality design and for extensions to be designed to complement and reflect the design and character of the dwelling.

Conclusion and Recommendation

17. Whilst the proposal would not be inappropriate development in the Green Belt I have found that its design would be harmful to the character and appearance of the dwelling in conflict with the development plan. There are no material considerations that indicate that the proposal should be determined other than in accordance with the development plan. Therefore, for the reasons given above and having had regard to all other matters raise, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

RC Kirby

INSPECTOR