



Appeal Decision

Site Visit made on 16 November 2021

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2021

Appeal Ref: APP/J1915/D/21/3273650

The Brooms, 69 Lower Road, Great Amwell SG12 9SZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs G Edwards against the decision of East Hertfordshire District Council.
 - The application Ref: 3/20/2415/HH, dated 30 November 2020, was refused by notice dated 28 January 2021.
 - The development proposed is described as removal of existing flat roof and replaced by a pitched roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council's decision, a new version of the National Planning Policy Framework (the Framework) was published in July 2021. The new Framework echoes and reinforces policy relevant to the main issues in this case. I shall determine the appeal on this basis.

Main Issues

3. The main issues in this case are:
 - a) whether the proposal would be inappropriate development in the Green Belt for the purposes of the Framework and development plan policy;
 - b) the effect of the proposal on the openness of the Green Belt; and
 - c) 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 development.

Reasons

Whether inappropriate development

4. The appeal site comprises a detached two-storey house with detached garage and its garden areas. It is located beyond the rear gardens of dwellings that front onto Lower Road. The site sits within the Metropolitan Green Belt.
5. Paragraph 149 of the Framework sets out a small number of exceptions to inappropriate development in the Green Belt. One such exception is the extension or alteration of a building, provided it does not result in

disproportionate additions over and above the size of the original building. Policy GBR1 of the East Herts District Plan (DP) sets out that planning applications within the Green Belt will be considered in line with the provisions of the Framework.

6. The proposal would not further increase the floorspace of the house. Nevertheless, it is undisputed that the building has previously been extended with an approximately 124% increase in floorspace, and that the proposal would further add approximately 52.5cu.m of pitched roof mass to much of the south-eastern part of the building. Also, the proposed new roof would add built bulk to space above the top of the crown roof. This would reduce the relative subservience of the south-eastern wing, in relation to the main body of the dwellinghouse.
7. I therefore conclude that the proposal would entail a disproportionate addition within the Green Belt. Thus, the proposal would not fall within the exceptions listed in paragraph 149c) of the Framework. Thus, the proposal would be inappropriate development in the Green Belt and would conflict with the Framework and Policy GBR1 of the DP.

Openness of the Green Belt

8. The Framework states that an essential characteristic of Green Belts is their openness and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land within them permanently open. Openness has both spatial and visual dimensions.
9. Albeit the proposal would be visible from various viewpoints within the appeal site, and glimpsed from the adjoining public footpath, perimeter garden vegetation and fencing would largely screen the proposal from wider view.
10. Nevertheless, the proposed roof extension would add approximately a further 3m height of pitched roof bulk and gable end to the south-eastern part of the building, compared to the existing, lower crown roof. Also, the ridge of the proposed roofing would rise up to within around 0.5m of the existing main roof ridge. As such, the step down in ridge height of the proposed new roofing from that of the existing main roof would appear relatively modest, in proportion to the proposed expanse of new roofing. Together, these factors would result in the visual impression of the almost full height mass of the building having been increased in width by around half. This would also reduce the sense of spaciousness between the detached house and the south-eastern garden boundary.
11. The above combination of factors would result in some harm to the openness of the Green Belt. This harm must be regarded as additional to the harm by reason of inappropriateness.

Other considerations

12. The proposal would result in increased roof space at the appeal property, mainly above the kitchen and utility room. The proposed roof pitch and height towards one end of the building would go some way to increase the visual balance of the front and rear elevations of the building. While noting the appellants' reference to a 'maintenance problem' with the crown roof, the possibility of a maintenance solution that would be less intrusive than the

appeal proposal is not decisively discounted. Given the modest scale of benefit, I attach limited weight to it.

Whether very special circumstances

13. As per paragraph 148 of the Framework, very special circumstances 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.
14. Paragraph 148 of the Framework requires substantial weight to be given to any harm to the Green Belt. I have found that the proposal would be inappropriate development in the Green Belt, which would, by definition, be harmful. The appeal scheme would also result in harm to the openness of the Green Belt. The identified harm to the Green Belt carries substantial weight. On the other hand, the other considerations I have identified are of limited weight in favour of the proposal.
15. Therefore, the harm to the Green Belt is not clearly outweighed by the other considerations identified. Thus, the very special circumstances necessary to justify the proposal do not exist. As such, the proposal is contrary to the Framework.

Conclusion

16. The proposed development would be contrary to the development plan and Framework and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

William Cooper

INSPECTOR