



Appeal Decision

Site Visit made on 14 December 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th January 2022

Appeal Ref: APP/J1915/W/21/3276010

Tree Heritage, North Road, Hertford, SG14 2PW

- 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 Edward Pearce against the decision of East Hertfordshire District Council.
 - The application Ref 3/21/0365/FUL, dated 12 February 2021, was refused by notice dated 21 May 2021.
 - The development proposed is described as "the redevelopment of the site, including demolition of existing buildings and erection of 5 dwellings, associated parking and altered access and provision of informal open space."
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Decision

1. The appeal is dismissed.

Main Issues

2. The site is in the Green Belt, and the main issues are therefore:
 - Whether the development proposed would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies
 - The effect on the character and appearance of the area; 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

Whether inappropriate development

3. The National Planning Policy Framework (the Framework) states that the construction of new buildings in the Green Belt should be regarded as inappropriate development, other than for certain exceptions. One identified exception is where a proposal involves the redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development. Policy GBR1 of the East Herts District Plan 2018 (the DP) states that planning applications within the Green Belt will be considered in line with the provisions of the Framework.
4. The openness of the Green Belt has both a visual and a spatial component. The proposed development would introduce two-storey houses into the site, where none of the existing buildings are more than a single storey in height. This would result in a greater impact to the visual openness of the Green Belt. The proposed siting of the two-storey houses to the rear of the single-storey

houses as seen from North Road would not be sufficient to offset their greater height, even allowing for the lower ground level within the site.

5. The proposed development would result in a more compact built form than the existing use of the site. However, the greater height of the two-storey houses taken together with the formalised plot boundaries and hard surfacing would result in a greater overall impact on the spatial openness of the Green Belt.
6. The site benefits from established boundary planting that provides screening for much of the year, with a mix of evergreen and deciduous trees. However, there are views across the site from North Road, and the development would be visible from the street and from the neighbouring house, Black Grove Lodge.
7. Overall, therefore, the appeal proposal would have a greater impact on the openness of the Green Belt than the existing development. It would consequently be inappropriate development contrary to the Framework and Policy GBR1 of the DP.

Character and appearance

8. Planning permission has previously been granted for five single-storey houses on this site in a broadly similar layout to the proposed. The most significant change from the approved scheme is the proposed two-storey houses. These would be similar in height to two-storey houses in North Road, including the neighbouring Black Grove Lodge. They would be finished in materials similar to the approved development. Notwithstanding the impact on openness set out above, the houses would not therefore appear out of keeping in the wider area.
9. There would therefore be no additional harm from the proposed development to the character and appearance of the area. It would consequently accord with DP Policies DES2, DES3 and DES4. Collectively these require that development conserve, enhance or strengthen the character and distinctive features of the district's landscape and reflect and promote local distinctiveness.

Other considerations

10. The appellant has identified considerations that they contend weigh in favour of the appeal proposal. They note that the approved scheme is a material consideration, and that the development footprint and extent of hardstanding would be smaller than the approved, with an attendant greater expanse of open space and amenity land contributing to both openness and biodiversity. These considerations collectively attract moderate weight in favour of the appeal proposal.
11. Nonetheless, the proposed development would cause harm to the openness of the Green Belt even with the changes from the approved scheme. The considerations identified by the appellant do not clearly outweigh the substantial weight that must be attributed to the harm to the Green Belt. Accordingly, very special circumstances do not exist in this case.

Conclusion

12. For the reasons set out above, the appeal is dismissed.

M Chalk

INSPECTOR