



Appeal Decision

Site visit made on 16 August 2022 by G Sibley MPLAN MRTPI

Decision by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2022

Appeal Ref: APP/C1950/D/21/3286008

116 Harmer Green Lane, Digswell, Welwyn AL6 0ET

- 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 Carter against the decision of Welwyn Hatfield Council.
 - The application Ref 6/2021/2041/HOUSE, dated 1 July 2021, was refused by notice dated 28 September 2021.
 - The development proposed is demolition of existing rear extension and construction of a part single, part two storey rear extension. Demolition of front porch and construction of single storey front extension. Addition of window and doors to existing side elevations.
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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.

Preliminary Matter

3. The Draft Local Plan Proposed Submission 2016 (LP) is currently at Examination in Public and is subject to modifications. Accordingly, the policies within the LP can only be afforded limited weight at this time.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) (Revised 2021) and any relevant development plan policies
 - the effect on openness
 - the effect of the proposal upon the character and appearance of the host dwelling and the area
 - if the development is inappropriate, 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 required to justify the proposal.

Reasons for the Recommendation

Whether inappropriate development

5. The Framework establishes that new buildings within the Green Belt are inappropriate development subject to a number of exceptions. This includes the exception in paragraph 149 c) for the extension or alteration to a building provided that it does not result in disproportionate additions over and above the size of the original building. The Framework defines 'original building' as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
6. Policy RA3 of the Welwyn Hatfield District Plan (DP) (adopted 2005) and LP Policy SADM 34 are similarly worded but also require extensions to not have an adverse impact on character and appearance and be consistent with the pattern of development and character of the area and its prominence within the landscape. These policies are not entirely consistent with national Green Belt policy and with regard to paragraph 219 of the Framework, I give these policies reduced weight.
7. The original building is a large two storey house with a front porch as well as a narrow side addition. The property has a deep single storey extension to the rear of the house, which is a conservatory, as well as an extension to the narrow side addition.
8. The planning history indicates that a new garage was permitted in 2001. While it is not clear from the evidence before me that the existing garage was built from that permission, from the size, design and materials I am satisfied that the garage is not part of the original building. Furthermore, there is no substantive evidence before me that the garage formed part of the original building.
9. Paragraph 15.9 of the supporting text to Policy RA3 states that the policy also covers outbuildings of a size and scale that require planning permission, including garages. Furthermore, paragraph 25.12 of the supporting text for Policy SADM 34 identifies that proposals relating to incidental buildings within 5 metres of the main building will be treated as an extension to the main building which is the case in this instance. Given the location, and use of the garage this building would be an incidental building to the host dwelling and would be treated as an extension to it. While this is a single storey building it is deeper than the house itself and similar in width and consequently it is a large building. Accordingly, the garage is a significant addition to the size of the original building.
10. The proposed single storey rear extension would be staggered and would replace the existing conservatory. The deeper half of the proposed ground floor extension would be approximately 5.5 metres deep which would only be slightly shorter than the original dwelling. The smaller part of the extension would extend the house by around 4 metres and would be less than half the depth of the house. The single storey front extension would be a shallow addition to the front of the house with a mono pitched roof that would extend across the whole width of the dwelling. The proposed porch would extend out further from this and these extensions and the non-original side extension would effectively double the footprint of the original building.

11. The proposed first floor rear extension would include a double pitched hipped roof over the rear extension which would extend across the full width of the hipped roof of the house. This would add a significant amount of new built form over two storeys and substantially increase the size of the rear of the roof.
12. The insertion of the proposed windows and doors across the dwelling would not increase the size of the house and accordingly would have a neutral effect upon the scale of the building.
13. Overall, the proposal would effectively double the footprint of the building and would create a deeper dwelling over two storeys, and this would add a significant amount of new built form to the original building. Whilst this second storey extension would only add around 14 square metres of additional floor space, the proposed double pitched hipped roof over this rear extension would create a much bulkier roof.
14. The effect of the proposed extensions, alongside the existing garage and the non-original side extension, would be a substantial increase to the size and massing of the original building. Even if the garage were not included in the assessment, the large scale and bulk of the first-floor extension alongside the ground floor additions, means the proposal would result in disproportionate additions over and above the size of the original building. Accordingly, the proposal would be inappropriate development in the Green Belt with regard to paragraph 149 c) of the Framework as well the first element of DP Policy RA3 and LP Policy SADM 34, albeit the weight attributed to these two policies is reduced.

Openness of the Green Belt

15. Much of the proposed extensions would be located to the rear of the dwelling and would be single storey additions. As a result, these elements would be partly screened by the house, as well as the trees and hedgerows that bound the site. However, the proposal also seeks to extend the first storey of the house and given the siting of the dwelling relatively close to Harmer Green Lane, this extension would be visible from the road as well as from the Public Right of Way (PRoW) that passes the house. Moreover, the proposed single storey extension to the front would be in a prominent location on the main elevation of the house facing the road. Whilst elements of the proposal would be partially screened, it would still increase the scale and massing of the house and subsequently result in moderate loss to the visual openness of the Green Belt.
16. The ground floor extension to be demolished is a building in the Green Belt and as such the replacement of this extension with a similarly sized extension would have a generally neutral effect upon the spatial openness of the Green Belt. However, the proposal also seeks to add new built form at first floor level as well as the proposed front elevation additions. Where these two extensions are proposed is undeveloped and makes a positive contribution to the spatial openness of the Green Belt. The construction of the extensions would be a substantial change from the current situation. The proposed first floor extension would also include a significant addition to the roof of the house and this alongside the proposed front elevation additions would significantly erode the spatial openness of the Green Belt.

17. As a result, the proposal would erode both the visual and spatial openness of the Green Belt, contrary to one of the essential characteristics of Green Belts listed at paragraph 137 of the Framework.

Character and appearance of the host dwelling and the area

18. The main features of the host dwelling are the intact hipped roof with the two chimneys either side of it as well as the symmetry of the architectural features. The neighbouring properties are typically large dwellings set within spacious plots, but they generally vary in appearance from one another with limited consistency in the character of the area other than the hipped roofs.
19. The proposed single storey extension to the rear would be built from similar materials to the house and the design would bear some relation to the host dwelling. In comparison to the conservatory, this extension would be a more sympathetic addition to the host dwelling.
20. The scale of the proposed front extension would be a limited addition to the house and whilst the existing porch is attractive, a similarly designed porch is proposed to replace it. The proposed windows and porch would be in a similar location to the existing windows and porch, and this would retain the symmetry of this front elevation. The limited scale and the use of similar materials would ensure that the proposal would integrate with the house and would not dominate the appearance of this front elevation.
21. The proposed window on the first-floor front elevation would be inserted between two existing windows and would be similar in scale and appearance. The three windows would be evenly spaced and would maintain the balanced appearance across the front of the dwelling. The other windows and the proposed door would be located along the flank walls of the dwelling and would not overdevelop those walls. These would also be similar in scale and appearance to the existing windows and doors.
22. However, the size and design of the proposed double pitched hipped roof above the rear first floor extension would detract from the appearance of the existing hipped roof. This would also result in the entirety of the rear elevation being obscured and the original form of the dwelling being more difficult to appreciate. The scale and design of this two-storey extension would, alongside the single storey rear extension, be a substantial addition to the house and would not appear as a subordinate addition to it. This would fail to respect the form and scale of the building and the use of similar materials would not overcome this concern. Whilst a double pitched hipped roof has been built on a neighbouring property, it is a different style of dwelling and what was deemed to be acceptable in that case would not necessarily be applicable here, given the difference in the appearance of the two dwellings.
23. Whilst much of the rear extension would be screened from the road by the house itself, the scale, massing and design means that it would still be visible from there, and also from the PRow that passes the property. As a result, the rear extension would be a visually prominent feature within the landscape that would significantly detract from the character and appearance of the existing building and so the wider area.
24. Therefore, whilst elements of the proposal would not be harmful, the cumulative effect of the proposed extensions would harm the character and

appearance of the host dwelling and so the area. Accordingly, the proposal would not comply with DP Policies D1 and D2 as well as the Supplementary Design Guidance (adopted 2005). These expect the standard of design in all new development to be of a high quality and for extensions to be designed to complement and reflect the design and character of the dwelling and be subordinate in scale. Moreover, the proposal would not accord with the general design policies of the Framework.

Other considerations

25. The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight must be given to any harm to the Green Belt and 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.
26. Whilst part of the proposal would replace an existing rear extension, I have found that overall, the proposed extensions would have a harmful effect upon the openness of the Green Belt. Accordingly, I can attribute no weight to this consideration.
27. The submitted proposal was reduced in size from a previously refused scheme (LPA Ref. 6/2020/3092/HOUSE), however this would not change the harm I have identified with the appeal proposal and so carries no weight.
28. The proposal would create a larger and more adaptable living space for the appellant. Be that as it may, this would be a private benefit to the appellant and as such would be given very limited weight.
29. The appellant has identified a dwelling in the local area that has been granted planning permission to be extended. The assessment whether an extension would be disproportionate is specific to each individual building and because there is variation in both the scale and appearance of that dwelling and No 116, there is limited comparisons that can be drawn between that approval and this scheme. Moreover, the Council granting planning permission elsewhere would not justify this proposal. Therefore, I give this neutral weight.

Whether very special circumstances exist

30. The proposed development would cause harm to the Green Belt by reason of inappropriateness and reduction in openness and I attach substantial weight to those harms.
31. Additionally, the proposal would harm the character and appearance of the host dwelling and so the area, and I attach moderate weight to this harm.
32. The other considerations cited in support of the proposal do not either individually or cumulatively, clearly outweigh the harm to the Green Belt and any other harm. Consequently, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist.
33. Therefore, the proposal would conflict with Green Belt Policy set out in paragraphs 137 and 147-151 of the Framework as well as DP Policy RA3 and emerging LP Policy SADM 34.

Conclusion and Recommendation

34. Accordingly, the proposal would conflict with both local and national Green Belt policies. Moreover, the proposed extensions would harm the character and appearance of the host dwelling and the area. Therefore, For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

35. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

A Parkin

INSPECTOR