



Appeal Decision

Site visit made on 30 August 2022 by C Glaister

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 October 2022

Appeal Ref: APP/A1910/D/22/3292108

10 Old Watling Street, Flamstead AL3 8HL

- 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 Simon Gallagher against the decision of Dacorum Borough Council.
 - The application Ref 21/03631/FHA, dated 15 September 2021, was refused by notice dated 16 November 2021.
 - The development proposed is described as "Two storey side extension, single storey front lean to roof and timber porch. Replacement conservatory. Raised rear patio".
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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.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (2021) (the Framework);
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the host dwelling, and the surrounding area.
 - if the proposal would be inappropriate development, 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 it.

Reasons for the Recommendation

Whether Inappropriate Development

4. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that the construction of new buildings should be regarded as inappropriate in the Green Belt, with the

exception of, among other things, the extension or alteration of 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 the building as it existed on 1 July 1948 or, if constructed after this date, as it was built originally.

5. Policy CS5 of the Core Strategy 2006-2031 (September 2013) (the Core Strategy) states that small-scale development will be permitted in the Green Belt, including limited extensions to existing buildings.
6. Saved Policy 22 of the Dacorum Borough Local Plan 1991 – 2011 (April 2004) (the Local Plan) was referred to by the Council in the officer report. It suggests that the resulting building should be less than 130% of the floor area of the original dwelling.
7. The property is one half of a two-storey semi-detached pair of dwellings. It has been previously extended, including a wide single-storey side extension which reaches the eastern boundary of the site. The Council indicate the proposal, in combination with the previous extensions, would amount to an increase of approximately 97% in floor area from the original property, and an approximate increase in volume of 182%. The appellant has not disputed these figures.
8. The proposal, in combination with the previous extensions, would represent a very significant increase in volume and floor area from the original building. The increase would be visually apparent, and the building would appear substantially larger. The proposal would therefore result in disproportionate additions over and above the size of the original building.
9. Accordingly, the proposal would be inappropriate development in respect of the Framework, and by definition, be harmful to the Green Belt. Paragraph 148 of The Framework instructs that substantial weight should be given to any harm to the Green Belt, and that '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.

Openness

10. The appeal property is part of a modest row of houses that are largely surrounded by open fields. The proposal would extend the dwelling in line with the existing row of houses, and whilst it would be proportionally significant to the original building, it would mostly be sited over the existing footprint of the property, and would therefore have a limited effect on the openness of the Green Belt both spatially and visually.
11. Although the harm would be limited, the proposal would nevertheless be detrimental to the openness of the Green Belt.

Character and Appearance

12. There is considerable variation in the style, size, and design of the properties along Old Watling Street. Some are detached and others are part of a semi-detached pair. There is very little space between some properties at ground-floor level, and there are pairs of properties that are larger than the appeal property and its attached neighbour.

13. There would be a reasonable amount of space left between the proposal and the property to the east, and the overall size of the property together with its attached neighbour would not noticeably exceed the size of some of the other semi-detached pairs along the road. The development would therefore remain in keeping with the scale, mass, and height of the surrounding area, and respect the adjoining properties. The materials and design of the property would be similar to the existing property and others nearby, and the proposal would therefore also respect the appearance of the surrounding area.
14. The proposal would have a small setback at first-floor level and be set down slightly from the ridge of the original house. Although it would have a relatively strong presence in relation to the existing house and the semi-detached pair as a whole, this would not harm the character and appearance of the two properties, and the proposal would otherwise represent an improvement to the dwelling with respect to the quality of design and the condition of the building overall.
15. For these reasons, the proposal would not harm the character and appearance of the host dwelling, or the surrounding area. It would therefore accord with Policies CS11 and CS12 of the Core Strategy which together seek to ensure development preserves attractive streetscapes, and integrates with the streetscape character. It would also accord with appendices 3 and 7 of the Local Plan which together seek to ensure there is sufficient space around residential buildings and that extensions harmonise with the original design and character of the house.

Other Considerations

16. The improvements that would be made to the house and garden could be achieved through other means, and would not be significant enough to overcome the harm to the Green Belt. The evidence submitted only indicates a lack of objections from Flamstead Parish Council and from the neighbouring residents. A lack of objections is a neutral matter.
17. The appellant has suggested local labour and materials would be sought for the construction of the proposal, and that the planting of native species would be considered. There has been no suggestion as to how this would be appropriately secured, and it would not in any case sufficiently mitigate the harm identified.
18. The proposal could create a more appropriate space for remote working. However, the benefits would be minor, and associated with only one dwelling. This therefore has little weight.
19. The appeal has been considered with regard to the Framework, published in 2021. Whilst the Core Strategy was published in 2013, Policy CS5 is largely consistent with the Framework.

Conclusion and Recommendation

20. The proposal would be inappropriate development in the Green Belt and would be detrimental to openness. It would therefore conflict with the aims of Policy CS5 of the Core Strategy, and the Framework. The other considerations do not clearly outweigh these harms, and the very special circumstances necessary to justify the development do not therefore exist.

21. The proposal would not harm the character and appearance of the host dwelling, or the surrounding area. However, this would not overcome the harm to the Green Belt.
22. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR