



Appeal Decision

Site visit made on 17 May 2023

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2023

Appeal Ref: APP/J1915/D/22/3307995

11 Orchard Road, Tewin, Welwyn AL6 0HE

- 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 Miss S English against the decision of East Hertfordshire District Council.
 - The application Ref 3/22/0058/HH, dated 12 January 2022, was refused by notice dated 5 August 2022.
 - The development proposed is a front storm porch.
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Decision

1. The appeal is allowed and planning permission is granted for a front storm porch at 11 Orchard Road, Tewin, Welwyn AL6 0HE in accordance with the terms of the application, Ref 3/22/0058/HH, dated 12 January 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 20151-P001-A.
 - 3) The materials to be used in the construction of the external surfaces of the porch hereby permitted shall be those detailed on the approved drawing.

Main Issue

2. The main issue is whether or not the proposed porch, when taken with previous extensions, would amount to inappropriate development in the Green Belt.

Reasons

3. Policy GBR1 of the East Herts District Plan (October 2018) requires applications in the Green Belt to be considered in line with the provisions of the National Planning Policy Framework (the Framework). Paragraph 147 of the Framework makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There are exceptions to this general restriction and paragraph 149 states, amongst other things, that the extension or alteration of a building should not be regarded as inappropriate development in the Green Belt provided it does not result in disproportionate additions over and above the size of the original building.

4. The Framework does not define the term 'disproportionate additions' or set out any maximum restrictions or guidance on how this should be assessed. It simply requires consideration of the overall size increase, which can include volume, floorspace, external dimensions and footprint.
5. The host dwelling is a detached L shaped bungalow, which is set back from the road within a generous plot. I am advised that previous extensions to the rear and to the roof of the original dwelling have increased its footprint by approximately 70%. The proposed porch would add an estimated additional 2% size increase to the footprint of the property, resulting in an overall size increase of 72%. This is not disputed by the appellant.
6. The open fronted storm porch proposed would infill a small corner of the L shaped frontage and would have a negligible impact on the scale, bulk, massing and built form of this modest property. Consequently, it would not result in a disproportionate addition to the size of the original dwelling, even when taken with the previous extensions.
7. I therefore conclude that the proposal would not amount to inappropriate development in the Green Belt and would not conflict with paragraph 149 of the Framework or Policy GBR1 of the East Herts District Plan. As I have found that the development is not inappropriate, it should not be regarded as harmful to the openness of the Green Belt and would not conflict with any of the purposes for including land within it.

Conditions

8. In addition to the standard time limit for commencement, a condition is required to ensure compliance with the approved plans to provide clarity. In the interests of protecting the character and appearance of the area it is also necessary to impose a condition to ensure the external materials of the porch match the existing dwelling in accordance with the details shown on the approved plan.

Conclusion

9. The proposal would accord with the development plan, when read as a whole. Material considerations, including the Framework do not indicate that a decision should be taken other than in accordance with the development plan. Having considered all other matters raised, I therefore conclude that the appeal should be allowed.

R Bartlett

INSPECTOR