



Appeal Decision

Site visit made on 11 November 2024

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2024

Appeal Ref: APP/X1925/D/24/3344728

The Coach House Todds Green, Stevenage, Hertfordshire SG1 2JE

- 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 David Huggins against the decision of North Hertfordshire District Council.
 - The application Ref is 24/00449/FPH.
 - The development proposed is the removal of existing conservatory; new single storey extension with roof terrace; first floor rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the description given on the original application form.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of development plan policy and the National Planning Policy Framework (the Framework);
 - the effect of the proposal on the openness of the Green Belt; and
 - if it is inappropriate, whether the harm to the Green Belt by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal is inappropriate development

4. The Framework explains that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence.

5. Policy SP5 of the North Hertfordshire Local Plan 2011-2031 (LP) seeks to only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated. Paragraph 154 of the Framework regards the construction of new buildings as inappropriate in the Green Belt. An exception to this is 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 being a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
6. Neither the Framework nor the development plan provide a definition of 'disproportionate additions' and therefore an assessment of whether a proposal would amount to a disproportionate addition over and above the size of the original building is a matter of planning judgement.
7. Planning permission was granted under references 81/01498/1, for single storey front, side and rear extensions, 84/0066/1, 89/00068/1 and 92/00937/1, each for a first floor side extension. While the approved extensions may not all have been constructed, the original building has been significantly enlarged at both ground and first floor level to either side and to the front and rear. The scale and massing of the appeal proposal would, when considered with the previous additions, therefore result in disproportionate additions to the original building.
8. I find that the proposal would result in disproportionate additions over and above the size of the original building. Therefore, the proposal would be inappropriate development which is, by definition, harmful to the Green Belt. Consequently, the proposal would conflict with Policy SP5 of the LP and the Framework, which seek to protect the Green Belt from harm.

Openness

9. The Framework identifies the essential characteristics of Green Belts as being their openness and their permanence. The site is largely enclosed by tall trees and mature hedges to the boundaries with neighbouring development further obscuring the dwelling, reducing the potential for views of the development and restricting the visual effect of the proposal on the surrounding area. Nevertheless, whilst the footprint is largely unaltered, the increased scale and massing of the proposed development would result in a harmful reduction in the spatial openness of the Green Belt.
10. For these reasons, the proposal would harm the openness of the Green Belt. The development would therefore conflict with Policy SP5 of the LP and the Framework, in this regard.

Other considerations

11. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reasons of inappropriateness, and any other harm resulting from the appeal development, is clearly outweighed by other considerations.
12. The appellant states that proposal would future proof the dwelling through making the accommodation more providing accessible. However, the evidence

presented in this regard includes limited background of the specific circumstances for me to determine whether the proposal is the only suitable option to provide such accommodation. On the evidence before me, I apportion only moderate weight to this consideration.

13. The proposal, including the replacement of the existing conservatory, would lead to improved environmental performance and energy efficiency. Nonetheless, given the limited size of the conservatory the benefits would not be significant. Accordingly, I attribute limited weight to this consideration.
14. The Council consider that the proposal would have an appropriate design and given the characteristics of the site, would not harm the character and appearance of the area and the living conditions of occupants of neighbouring properties. Furthermore, the proposal would not affect the existing car parking provision at the site. I find no reason to take a different view. Nonetheless, the absence of harm is a neutral factor and therefore does not weigh in favour of the proposal.
15. My attention has been drawn to an appeal decision in respect of a proposal for a side extension at Pinchgut Hall¹. I note that neither party in that case clearly identified or quantified the ages and sizes of all the various component parts of the dwelling and it was unclear what constituted the original dwelling. In respect of the appeal scheme, the appellant has provided an indication of the original building and the Council has provided plans from previous applications at the site. While there is a disparity between the parties in the precise size of the original building, it is evident that the dwelling has been extended significantly. Consequently, I attribute minimal weight to this consideration.
16. For these reasons I find that the other considerations in this case, as set out above, do not clearly outweigh the totality of the harm to the Green Belt that I have identified. Consequently, the very special circumstances necessary to justify the appeal development do not exist. The appeal development therefore conflicts with Policy SP5 of the LP and with Paragraph 154 c) of the Framework.

Conclusion

17. The proposal would conflict with the development plan as a whole. The other considerations in this case do not indicate that a decision should be made otherwise than in accordance with the development plan. For the reasons given above I conclude that the appeal should be dismissed.

J Pearce

INSPECTOR

¹ APP/X1925/D/19/3225342