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## Appeal Decision

Site visit made on 9 October 2017

by **Jonathan Hockley BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17<sup>th</sup> November 2017

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**Appeal Ref: APP/C1950/W/17/3179182**

**Blue Moon Paddock, Woodfield Lane, Brookmans Park, Hatfield AL9 6JY**

- 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 James Westrope against the decision of Welwyn Hatfield Borough Council.
  - The application Ref 6/2016/1677/MAJ, dated 16 August 2016, was refused by notice dated 20 January 2017.
  - The development proposed is the demolition of existing redundant structures and erection of single family dwelling house, together with associated tree planting scheme (part of Centenary Woods project sponsored by Woodland Trust); landscaping and car parking.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this case are as follows:
  - Whether the proposal is inappropriate development in the Green Belt;
  - The effect of the proposal on the character and appearance of the surrounding area and whether the site would constitute a sustainable location for development;
  - If the proposal is inappropriate, whether any 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

#### *Whether inappropriate development*

3. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of exceptions as set out in paragraph 89. One of the exceptions is the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which

- would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development. Policies GBSP1 and GBSP2 of the Local Plan<sup>1</sup> define the towns and specified settlement where development will be permitted subject to other policies of the plan
4. The appeal site consists of a large roughly rectangular shaped piece of land, bordered on the southern side by Woodfield Lane. The majority of the site is covered by woodland, although there are two wooden structures located in the north east corner of the site, consisting of a long stable block and a separate shorter, slightly wider building in more of a state of disrepair. An access track roughly follows the eastern boundary of the site, linking the area of the buildings with Woodfield Lane. There is evidence on site of fly tipping. As a former equestrian use the site falls within the definition of previously developed land as contained in the Framework, and with regards to the first part of the exception to paragraph 89 therefore the proposal constitutes the redevelopment of a redundant previously developed site, a point on which both parties agree.
  5. The proposal seeks to construct a single residential dwelling. The property would be a substantial single storey rectangular building and would be linked via a glass bridge over a rainwater runoff pool to a car parking area. The area of the site where the proposed dwelling would be set has good screening to all sides and is not clearly visible from public areas, although it would be from a dwelling to the east which can already see the existing wooden structures on the site. The appellant considers that the proposal would, in qualitative terms, have a positive effect on the openness of the Green Belt.
  6. Openness in terms of the Green Belt has a spatial aspect as well as a visual aspect. While the individual building would not extend any further to the north, south, east or west than the existing two buildings combined, the proposal would, according to the Council's figures, introduce a building with a footprint of some 253m<sup>2</sup>, as compared to the existing buildings footprint of 168m<sup>2</sup>, an increase of some 52%. The building would have a height of 7.2m, compared to 3.98m currently and would have a volume of some 1,188m<sup>3</sup> compared to the current buildings volume of 421m<sup>3</sup>. By all metrics therefore the proposal would have a greater impact on the openness of the Green Belt in spatial terms than the existing development.
  7. Visual impact forms part of the concept of openness of the Green Belt, and the visual dimension of the Green Belt is an important part of the point of designating land as Green Belt. The size, mass and height of the proposed dwelling would be significantly different to the existing buildings. Whilst somewhat run down, the design, materials and scale of these structures are clearly rural buildings and do not appear out of place within the site. The height of the ridge of the new rectangular building would present a stark building and be in sharp contrast to the existing buildings, and the proposed limit of the domestic curtilage of the site would not assist particularly in this regard, with any domestic curtilage having an inevitable visual impact on the Green Belt when compared to the existing circumstances.
  8. I therefore consider that in both spatial and visual terms the proposal would have a greater impact on the openness of the Green Belt than the existing development. Furthermore, in doing so the scheme also fails to assist in

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<sup>1</sup> Welwyn Hatfield District Plan 2005

safeguarding the countryside from encroachment, one of the 5 purposes of the Green Belt, and would therefore not comply with the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open.

9. I therefore consider that the proposal would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The proposal is therefore inappropriate development in the Green Belt, and as such conflicts with the Framework.

*Character and appearance, and sustainability*

10. As stated above, the site is well screened from most public views, and the proposal would not have a significant impact to the wider landscape beyond the site. However, in isolation I am not convinced by the design of the proposal. It is clear that the design has been considered in depth; however, the proposed use of blackened/charred larch for the walls and roof when coupled with the scale of the scheme, and details such as the bridge at the frontage would lead to an overly domestic appearance for such a rural site. The pond and side glazing would not, I consider, give the appearance of a vernacular barn, and neither would the extent of charred timber particularly associate with the surrounding landscape.
11. Alternative materials, including a green wall, are suggested if more appropriate. Whilst more sympathetic materials may help to blend the structure more into the site, I consider that the scale and height of the proposal would still appear stark and discordant. Furthermore, details such as car parking, boundary treatments and domestic paraphernalia associated with the proposal would also cause harm to the character and appearance of the site. While such latter matters can potentially be conditioned to mitigate severe effects and materials such as grasscrete used for parking and access, the proposal would inevitably result in the site being more domesticated than is currently the case.
12. Woodfield Lane is a country road which on my site visit appeared reasonably well used. The appellant notes the proximity of various settlements, including Essendon being less than 2 miles to the north and Potters Bar some 3.3 miles to the south. The nearest train station is stated to be around 2.3 miles away at Welham Green.
13. Essendon has a shop/petrol station, pub and other facilities. However, this village still lies some distance away from the site and is unlikely to be walked to regularly, particularly given the fairly busy nature of the local road network and lack of footpaths in many places. The proposal would incorporate integrated cycle storage and evidence is submitted showing the range of places accessible within 20 and 30 minutes travelling by such means. I acknowledge that a range of settlements and the facilities and services that they offer would be accessible by bike in such a manner.
14. However, I am not convinced that given the busy nature of the roads it is likely that bikes would be used often, particularly in times of inclement weather. I also have no evidence of any local public transport routes. I therefore consider that the proposal would likely not make the fullest possible use of public transport, walking and cycling, and future occupants of the proposed development would likely use private transport to make most of their journeys for local services and facilities.

15. The proposed building would be designed and constructed to a high environmental standard, with evidence stating that the proposal would achieve net zero carbon emissions. This includes a cyclical system where various features of the building work together to increase the sustainability of the building. Minor sustainability benefits would also be provided in terms of the economic and social benefits in constructing and providing an additional house for the area, and in terms of at home care of the appellant's disabled mother, as well as providing availability to the wider site for school nature study projects.
16. Paragraph 55 of the Framework seeks to promote sustainable development in rural areas. Despite the acknowledged high environmental credentials of the proposed building and the other minor benefits that I have identified, due to the location of the site and the nature of the surrounding area I consider that the proposal would lead to an isolated home in the countryside. Paragraph 55 of the Framework states that new isolated homes should be avoided, and I do not consider that the design of the building meets the high bar of being truly outstanding or innovative as a whole, and would thus not meet the fourth exception in paragraph 55.
17. I therefore conclude that the proposed development would have an adverse effect on the character and appearance of the surrounding area; and nor would the site constitute a sustainable location for development. The proposal would be contrary to paragraph 55 of the Framework. Whilst the proposal would comply with one of the core planning principles of the Framework in that it would reuse land that has been previously developed; it would conflict with other ones, including actively managing patterns of growth to make the fullest possible use of public transport and walking. The proposal would also be contrary to policies SD1, H2, D1, and D2 of the Local Plan, which when taken together, state that development will be permitted where the principles of sustainable development are satisfied, that windfall residential development will be assessed against a range of criteria, including the location and accessibility of the site, and that all new development should be of a high standard of design which respects and relates to the character and context of the area in which it is proposed.

#### *Other considerations*

18. The appeal site includes a range of woodland, in varying condition. Evidence has been submitted detailing how the appellant has worked with the Woodland Trust, and is committed to enhancing the woodland through maintenance and new planting of some 100 trees as part of the Woodland Trust's Centenary Wood project. A Woodland/Landscape Management Plan, confirmed by a Section 106 Agreement, would ensure that the proposals would provide ecological benefits, conserving, maintaining and enhancing the existing woodland. Such a scheme would have defined and definite ecological and biodiversity benefits. Policy RA10 of the Local Plan states that proposals for development in rural areas will be expected to contribute to the conservation, maintenance and enhancement of the local landscape character of the area. The detailed woodland provisions of the proposal would comply with this policy. However, for the reasons given above concerning the design and scale of the scheme, I am not convinced that the proposal as a whole would do so and hence the proposal would be contrary to this policy.

19. I can also appreciate that the enhancement works would only be likely to go ahead in conjunction with the proposal, with the residence on the site allowing the day to day management of the woodland. Clear ecological benefits, as well as visual and landscape benefits would therefore solely be provided by the proposal. Mention is also made of potential poppy planting in support of the British Legion.
20. My attention was drawn to a development which has taken place fairly close to the appeal site, where redevelopment of a house and stud farm/stables has occurred, also in the Green Belt. I viewed this site from both Woodfield lane and Cucumber Lane during my visit, and noted that the scheme was visible from both roads. However, I do not have the precise details of these schemes or their determination process. Furthermore, each case must be considered on its own merits.

### **Conclusions**

21. The proposal would be inappropriate development in the Green Belt and the Framework establishes that substantial weight should be given to any harm to the Green Belt. In addition the scheme would also have a minor harmful effect on the character and appearance of the surrounding area and would be a sustainable site for residential development. While entirely laudable I do not consider that the woodland management and enhancement proposal and the redevelopment of a brownfield site that the scheme would provide would *clearly* outweigh the harm that the scheme would cause. Consequently, very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist.
22. For the reasons given above, and having regard to all other matters raised including the letters in support of the proposal, I conclude that the appeal should be dismissed.

*Jon Hockley*

INSPECTOR