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# Appeal Decision

Site visit made on 23 April 2012

by **Michael Evans** BA MA MPhil DipTP MRTPI

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

Decision date: 14 May 2012

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## Appeal Ref: APP/C1950/D/12/2172717

### 1 The Cottages, Shepherds Way, Hatfield AL9 6NJ

- 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 J Bonn against the decision of Welwyn Hatfield Borough Council.
  - The application Ref S6/2011/2817/FP was refused by notice dated 29 February 2012.
  - The development proposed is a two storey side extension and other alterations.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The proposal can most appropriately be described as given in the header above. It is on the basis of this description that the appeal will be considered.

### Main Issue

3. The main issue in the consideration of this appeal is whether the proposed development amounts to inappropriate development in the Green Belt and, if so, 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 the development.

### Reasons

#### *Inappropriate development*

4. The appeal concerns a semi-detached dwelling that is located within the Metropolitan Green Belt. In such locations Government policy in the National Planning Policy Framework (NPPF) identifies development that would not be inappropriate. The extension or alteration of a building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. Inappropriate development should not be approved except in very special circumstances, which will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm are clearly outweighed by other considerations. The aims of Welwyn
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Hatfield District Plan 2005, Policy RA3 closely reflect those of the NPPF as they include seeking to prevent the disproportionate enlargement of dwellings in the Green Belt.

5. The Council has produced relatively detailed calculations which show that the extended dwelling would have about 76% more floorspace and a footprint about 90% greater than the original dwelling that existed in 1947. The Appellant indicates that the increase in floor area would be 58%. However, this calculation is not supported by any details such as the areas of the original dwelling, the current proposal and of additions that have been built. Consequently, the Council's figures are significantly more credible. However, even taking the Appellant's figure the resultant increase in floor area would be significantly more than half the size of the original dwelling. The Appellant refers to a 50% guidance figure but there is no suggested acceptable level of increase in the supporting text or Policy RA3 itself.
6. In visual terms the addition would increase the length of the dwelling by about two thirds at a two storey height. Despite the modestly lower ridge and set backs at the front and rear this would represent significant additional bulk. The Council also indicates that the single storey rear extension is an addition to the original dwelling and this has not been disputed. This addition spans the full width of the existing rear elevation. As a result the original dwelling would be substantially enlarged on two sides with a more modest porch addition to the front.
7. As a consequence of the above factors, it is concluded that the scheme would result in disproportionate additions to the original building and, therefore, constitute inappropriate development in the Green Belt. Under the terms of the NPPF inappropriate development is by definition harmful to the Green Belt and such harm must be accorded substantial weight.

### ***Openness of Green Belt***

8. The physical presence reflected in the two storey bulk and mass of the extension, despite the lower ridge and set backs to front and rear, would result in an unacceptable reduction in the openness of the Green Belt. The extension would be between the road and the existing building but this position is still within the Green Belt and does not confer acceptability on the loss of openness. It is explained in the NPPF that the essential characteristics of Green Belts are their openness and permanence. As a result, the harm in this respect is also afforded a substantial degree of weight.

### ***Other considerations***

9. The Appellant refers to the removal of outbuildings and indicates that these covered a greater area than needed for the proposed extension. Although photographs have been submitted, no plans or calculations of their size have been provided. In any case, this matter would not constitute a benefit of the current proposal as the structures have already been removed anyway.
10. In 2001 a two storey side extension was permitted at the appeal site. However, this was never built and the planning permission has subsequently expired. As a result there can be no fallback position and this planning history is not a positive attribute of the current scheme that could be considered to

weigh in its favour. In any event, the current scheme must be considered strictly on its own merits.

11. In consequence, the above matters can only be afforded limited weight.

***Conclusion***

12. As a result of the above conclusion and taking account of all other matters raised, the harmful effects in respect of the Green Belt are not clearly outweighed by other considerations. There can, in consequence, be no very special circumstances and the proposal conflicts with both the NPPF policies in relation to the Green Belt and Local Plan Policy RA3, so that the appeal fails. In reaching this decision the views of interested parties have been taken into account.

*M Evans*

INSPECTOR