



Appeal Decision

Site visit made on 1 October 2018

by **Clive Tokley MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 October 2018

Appeal Ref: APP/C1950/D/18/3207889

5 Bell Lane, Brookmans Park, Hatfield AL9 7AY.

- 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 John Standing against the decision of Welwyn Hatfield Council.
 - The application ref 6/2018/0687/HOUSE dated 9 March 2018, was refused by notice dated 9 May 2018.
 - The development proposed is described as re-configuration of first floor with revised roof shape and revised fenestration.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: -
 - a. Whether the proposal would be inappropriate development in the Green Belt having regard to the Development Plan and the July 2018 *National Planning Policy Framework* (The Framework).
 - b. The effect of the proposal on the openness of the Green Belt.
 - c. The effect of the proposal on the character and appearance of the host dwelling and the area.
 - d. If the proposal is inappropriate development whether there are any other considerations that clearly outweigh the harm to the Green Belt due to inappropriateness and any other harm and whether very special circumstances exist to justify the granting of permission.

Reasons

Inappropriate development

3. The appeal property is part of a loose-knit group of buildings around the junction of Bell Lane and Bulls Lane which lie to the south of a row of dwellings fronting the A1000 and west of the public house/restaurant. This area is all within the Green Belt. Part 13 of the July 2018 revision of the Framework supersedes Part 9 of the 2012 version. The revised Framework restates the purposes of the Green Belt and in common with its predecessor indicates that

inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

4. The Framework indicates that the construction of new buildings is normally inappropriate development; however paragraph 145 identifies a range of developments which may not be inappropriate. These exceptions include a specific provision (sub paragraph c) for the enlargement of a building. This re-states the provision within the 2012 Framework and indicates that the extension or alteration of a building should not result in disproportionate additions over and above the size of the original building. "Original" is defined by the Framework (in Annex 2) as a building as it existed on 1 July 1948 or, if constructed after that date, as it was originally built.
5. Policy RA3 of the *Welwyn Hatfield District Plan* (LP) adopted in April 2005 seeks to restrict extensions to dwellings in the Green Belt to those which would not result in a disproportionate increase in the size of the dwelling, taking into account existing or approved extensions to the original dwelling. That policy therefore accords with the later Framework.
6. The officer report sets out the planning history of the appeal property and indicates that it was built as a bungalow with a floor area of about 213 sq m following a 1962 planning permission. The report indicates that the original bungalow was subsequently extended to provide first-floor accommodation with an increase in ridge height of about 2m; the upper floor being lit by dormer windows. The appellant does not disagree with the planning history of the dwelling but points out that it replaced a forge and its associated "substantial" house. I do not have details of the buildings that pre-dated the bungalow but it is clear to me that, based on the definition in the Framework, the bungalow as originally built is the "original dwelling".
7. The volume and floorspace of the original dwelling has been increased by the raising of the roof and construction of dormer windows. With the exception of the oversailing top of the monopitch roof the height of the proposal would not exceed that of the existing building. However the extension of the vertical faces of the walls to provide full-height first-floor accommodation would further increase the volume of the building. The appellant compares the increases in size with the *existing* dwelling and provides a number of figures showing the increase. However that methodology does not accord with the LP or the Framework which identify the original dwelling as the starting point for the assessment of proportionality.
8. The officer report indicates that the floor space of the building would be increased by 100% as compared with the original dwelling. An increase in floor space may be taken as a reasonable proxy for an increase in volume; however in this case (with similar storey heights) the correlation would depend to some extent on the pitch of the roof. I do not have details of the original bungalow; however taking account of the 2m increase in height that resulted in the current building its roof originally had a much slacker pitch than the existing. I cannot make a fully-informed assessment of the original volume; nevertheless it is evident that the proposal would result in a significant cumulative increase above that of the original building and this would be of a similar proportion to the increase in floorspace.

9. I consider that the cumulative increase of the size resulting from the proposal would be disproportionate to the size of the original dwelling and the proposal would therefore be inappropriate development in the Green Belt.

Openness

10. Unlike the assessment of proportionality the starting point for the consideration of openness is the existing building. The proposal would increase the bulk of the building above ground floor level; however when considered in the context of the existing building the proposal would not materially detract from the openness of the Green Belt.

Character and appearance

11. The appeal property is bounded to the front by a combination of dense evergreen vegetation, high brick walls and timber gates. Nevertheless when approached from Bulls Lane much of the front roof plane with its three dormers and the forward projecting gable can be seen. These parts of the dwelling are also in view from Bell Lane above the front gates. The first-floor front wall of the proposal, including the monopitch northern element, would be clearly seen from the road. As a result of the extent of the vertical surfaces and higher eaves the building would be both bulkier and more assertive than the existing building. I noted the presence of two-storey and chalet style houses in the locality but I consider that the increased bulk and prominence of the building would detract from the semi-rural character of the area.
12. The proposal would radically change the existing dwelling to the extent that none of its existing form and aesthetic characteristics would remain. The Council indicates that the proposal would conflict with its policies and guidance for house extensions; however I consider that as regards design the resultant building should be judged as a building in its own right and not compared with the existing dwelling. Whilst the Council is critical of the proposal as compared with the existing it does not conclude that the resultant building would, in itself, be of a poor design.
13. I agree with the Council's concerns about the effect of the proposal on the character and appearance of the area and for this reason it would conflict with LP Policy D2. However I have no reason to conclude that in isolation the design of the proposal would be unacceptable.

Other considerations

14. The appellant draws attention to the presence of larger buildings on the site before the bungalow was built; however they were demolished in 1959. As I indicate above those buildings are not the "original building" and are therefore not the correct reference point for the consideration of proportionality. I have no details of the buildings and their historic presence on the site almost 60 years ago carries no material weight in my consideration of character and appearance. I acknowledge the benefits that the appellant identifies as regards economic benefits to the construction industry and improvements to the house; however they are of a small scale and I give them limited weight.

Green Belt Balance and Conclusion

15. The Framework indicates that substantial weight should be given to any harm to the Green Belt. Taking account of all matters I conclude the proposal would

be inappropriate development in the Green Belt and that it would harm the character and appearance of the area. I consider that the harm to the Green Belt as a result of inappropriateness and the harm to the character and appearance of the area would not be clearly outweighed by the limited benefits arising from proposal and the other matters referred to by the appellant. I conclude that "very special circumstances" needed to justify inappropriate development in the Green Belt do not exist.

16. The proposal would conflict with LP Policies RA2 and RA3 and with the Framework and taking account of all matters I conclude that the appeal should not succeed.

Clive Tokley

INSPECTOR