



Appeal Decision

Site visit made on 6 January 2004

by **Mike Moore** BA(Hons) MRTPI MCIT MIHT

an Inspector appointed by the First Secretary of State

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Date 30 JAN 2004

Appeal Ref: APP/C1950/A/03/1129607

'Timbers', Lysley Place, Shepherds Way, Hatfield, AL9 6NZ

- 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 B White against the decision of Welwyn Hatfield Council.
- The application (Ref.S6/2003/895/FP), dated 5 April 2003, was refused by notice dated 1 August 2003.
- The development proposed is a first floor side extension above existing ground floor.

Summary of Decision: The appeal is dismissed.

Main Issue

1. I consider the main issue to be whether the proposed development would constitute inappropriate development harmful to the Metropolitan Green Belt, and if so, whether there are other considerations sufficient clearly to outweigh the harm.

Planning Policy

2. The development plan includes the Welwyn Hatfield District Plan Alterations No 1 (DP). Amongst other things, DP Policy GB3 indicates that within the Green Belt, other than in very exceptional circumstances, permission will only be granted for development for a limited number of purposes. DP Policy GB5, amongst other matters, seeks to ensure that extensions to dwellings in the Green Belt do not have an adverse and disproportionate impact. These policies take forward national policy in Planning Policy Guidance Note 2: Green Belts (PPG2). DP Appendix A includes Res Criteria 22 (Extensions to Dwellings) which sets out criteria for assessing new extensions generally, including their effect on the character of the area. It also records that extensions should reflect the design and character of the house and should be subordinate in terms of the scale of the dwelling.
3. The Council has published the Welwyn Hatfield District Plan Review (DPR). DPR Policies RA1 and RA3 concern Green Belt and include the circumstances in which development would be acceptable and the approach to extensions to dwellings. Although I have not been informed whether there are any outstanding objections to these policies as they effectively reiterate current development plan policy I am able to lend them significant weight. As part of the District Plan Review the Council has also published Supplementary Design Guidance (SDG). Paragraph 4.2 includes criteria for the assessment of residential extensions. Those relevant to this appeal are similar to those in DP Appendix A and I can therefore afford them similar weight.

Reasons

Effect on the Green Belt

4. The appeal property, Timbers, is located in a small group of dwellings set around a central courtyard and accessed from a private, gated road, Lysley Place. The group comprises three

relatively new detached houses and two barn conversions to the north of Shepherds Way. The new houses replaced previous dwellings on the site and the floorspace of the new properties was related to these. To the west is Mymwood House, a residential home; while to the east is another small group of detached houses with an open aspect on Ramsey Close. Overall, this developed area has a countryside setting within the Metropolitan Green Belt. To the north is open countryside consisting of fields with boundary hedgerows and trees. Shepherds Way has a leafy character with roadside trees and hedges predominating.

5. The appeal property is a detached two-storey four-bedroom house, timber-clad with a gable roof. At the north-eastern end of the dwelling is a single storey element with a pitched roof incorporating part of the kitchen and garaging for three vehicles. The appeal proposal would involve a first-floor extension over the single-storey part of the building to a new end gable.
6. Adjacent to Timbers to the west and north-west are Mymwood House and its grounds, while to the north is The Barn and Coach House. It faces Grey Gable and The Well House across the courtyard to the east. While the proposed extension would be seen from these properties they would screen it from any wider views from the countryside beyond. However, it would be visible from Lysley Place. There would also be filtered views of the proposed development from Shepherds Way through boundary shrubs and trees, although these would be more difficult when the deciduous plants were in leaf.
7. PPG2 Paragraph 3.4 indicates that limited extension or alteration of existing dwellings would not be inappropriate development in the Green Belt. Paragraph 3.6 goes on to state that an extension or alteration is not inappropriate development if it does not result in disproportionate additions over and above the size of the original building. Development plans should make clear the approach local planning authorities will take. In this case DP Policy GB5 indicates that permissions for extensions to existing dwellings will only be allowed where they do not have, individually or when considered with existing or approved extensions to the original dwelling, an adverse and disproportionate impact (in terms of prominence, size, bulk and design) on the character, appearance, pattern of development and visual amenity of the surrounding countryside.
8. Taken with the enclosure of the porch area, which took place after the original dwelling was built, the proposed extension would increase the floorspace of the dwelling by some 24%. I do not consider that an increase of this size would in principle be disproportionate. Furthermore, the proposed materials would be sympathetic to the appearance of the existing dwelling. However, being at first floor level the extension would be prominent. The Council and the appellant dispute the extent to which the ridge height of the proposal would be stepped down from that of the main dwelling. Based on the appeal drawings I consider that the step down would be relatively modest. Even when taken with the difference in depth between the main dwelling and the garage element the proposal would not be seen to be subservient to the original dwelling. I consider that the proposal would have a bulky appearance and given its prominence within Lysley Place would be a discordant and disproportionate feature. I therefore conclude that the proposal would amount to inappropriate development in the Green Belt, which is by definition harmful to its function and purpose.
9. Paragraph 1.4 of PPG2 indicates that the most important attribute of Green Belts is their openness. Lysley Place is characterised by substantial detached properties on large plots with space around the buildings. Furthermore, the Barn and Coach House is set down slightly below Timbers and much of the property is single storey. Whereas there is a boundary brick wall on the north-eastern side of the courtyard area and to some of the gardens, between and above some of the buildings there are views of trees beyond. Timbers and The Barn and Coach House are relatively close together and the proposal would reduce the space between them at first floor

level. The proposed development would give rise to an increased sense of enclosure within the courtyard area and a loss of openness. Therefore, on this basis also I conclude that the proposed extension would constitute inappropriate development in the Green Belt.

Other considerations

10. I now turn to whether there are any other considerations sufficient clearly to outweigh the presumption against inappropriate development in the Green Belt. The appellant has referred to a number of other recent extensions to properties in Lysley Place. In some instances in proportion to the original dwelling these are significantly larger than the proposed extension to Timbers. However, in some cases the extensions are at ground floor level and are much less prominent than the appeal proposal. Some are to the rear of the properties and have less impact as a result. Particular reference has been made to the enclosure of a swimming pool that was allowed on appeal (Ref.APP/C1950/A/01/1072616) at The Barn and Coach House. However, in that case the proposed development was only 4m to the roof ridge, compared with about 7.4m for this appeal proposal. The Inspector concluded that the enclosure would be largely concealed by a boundary wall and in that context judged it would not undermine the integrity of the Green Belt. As such I conclude that the presence of other extensions to dwellings in Lysley Place does not amount to a very special circumstance that would outweigh the harm the proposed development would cause to the Green Belt.
11. My attention has been drawn to the lack of objections to the proposed extension from neighbouring residents. However, the absence of objections is not in itself sufficient reason to allow a proposed development where there are material planning reasons why it should not take place. Accordingly, it would not constitute a very special circumstance that would outweigh the harm caused by inappropriateness.
12. Overall I conclude that the proposed first floor side extension comprises inappropriate development, harmful to the Metropolitan Green Belt and that there are no other considerations that would outweigh the harm caused. Accordingly, the proposed development would conflict with the aims of DP Policies GB3, GB5 and Res Criteria 22, DPR Policies RA1 and RA3 and SDG Paragraph 4.2.

Conclusions

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

14. I dismiss the appeal.

Information

15. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.



INSPECTOR

