



Appeal Decision

Site visit made on 15 April 2010

by **Isobel McCretton BA(Hons) MRTPI**

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

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Decision date:
17 May 2010

Appeal Ref: APP/C1950/A/09/2113652

Sawmill Cottage, Water End Lane, Ayot St.Peter, Welwyn AL6 9BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Ms L Miller against the decision of Welwyn Hatfield District Council.
- The application Ref. N6/2009/604/FP, dated 25 March 2009, was refused by notice dated 12 June 2009.
- The development proposed is a first floor extension and alterations.

Decision

1. I dismiss the appeal.

Main Issues

2. The main issues in this case are:
 - whether or not the proposed development constitutes inappropriate development in the Green Belt for the purposes of PPG2¹ and District Plan² policy RA3;
 - the effect of the development on the character and appearance of the area and the openness of the Green Belt; and
 - if the development is inappropriate, 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

Green Belt/Inappropriate Development

3. The appeal property is one of a pair of semi-detached houses in a small enclave of dwellings within the Green Belt and outside any defined built up area. Government advice in PPG2 states that the construction of new buildings within the Green Belt is inappropriate development unless it is for certain purposes (PPG2 para. 3.4). Inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will

¹ Planning Policy Guidance Note 2: Green Belts (PPG2)

² Welwyn Hatfield District Plan 2005. The policy cited has been saved under the terms of a Direction pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004.

- not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development (PPG2 para. 3.2).
4. PPG2 para. 3.6 advises that, provided it does not result in disproportionate additions over and above the size of the original dwelling, the extension or alteration of dwellings is not inappropriate in Green Belts. This advice is reflected in District Plan policy RA3.
 5. The house has previously been extended, including a single storey side extension with a flat roof partly disguised by low half hips around the three outer sides. The Council takes no issue with the design of the proposed addition which would built be over that existing extension, and I agree that the scheme would reflect the original dwelling in its overall concept, detailing and materials.
 6. The Council estimates that the original house had a floor area of around 107.7m² and has had extensions that result in a cumulative increase in the footprint of 32%, and that the proposed extension would add a further 19.4m² resulting in a 50% increase in the floor area of the property. The appellant agrees with the figures for the original and proposed floorspace but reckons that the floorspace of the previous extension is only 27.2m² giving an increase in floorspace of 25% with the first extension and a cumulative increase of 43% when the appeal proposal is included. It is argued that such an increase would not be disproportionate.
 7. However, policy RA3 clearly states that it also applies to outbuildings for which planning permission is required. A series of planning permissions have been granted for a detached garage at the property and I saw that a garage is now under construction. The Council estimates that this adds a further 32m² of floorspace so that, with the proposed extension, the total increase would be of the order of 86.1m² or 80% of the original. Even if I were to take the appellant's lower figure for the size of the previous extension, there would be a cumulative increase of well over 70%. I consider this to be a disproportionate increase in the size of the dwelling and, as such, I conclude that the proposal would constitute inappropriate development in the Green Belt, contrary to District Plan policy RA3 and PPG2.

Openness/Character and Appearance

8. While I find no objection to the design of the proposed extension, it would add a considerable bulk and mass to what is a modest dwelling. There are only limited views of the building which backs onto woodland but, nevertheless, it would detract from the openness of the Green Belt. PPG2 states that openness is the most important attribute of the Green Belt and so this is a factor which weighs against the proposal.

Other Considerations

9. The appellant argues that there are other properties in the vicinity where sizeable extensions have been permitted, but none of these appears to result in the cumulative increase in floorspace which would be the case in the appeal

proposal: a 62% increase in floorspace at Gate End, 45.1% at Melbourne Stud and 55.4% at Ayot Lodge. I therefore do not consider that they set a precedent for my consideration of this appeal which would result in an increase in floorspace of at least well over 70%.

10. It is also contended that the extension would enhance the character and appearance of the property. I do not dispute that the extension would sit comfortably above the existing single story extension and that the resulting roof profile would be more in keeping with that of the original house. However I do not consider the existing appearance of the dwelling to be so damaging as to justify inappropriate in the Green Belt.
11. In conclusion I do not consider that the above considerations either alone or in combination is sufficient to clearly outweigh the harm to the Green Belt by way of inappropriate development and loss of openness. Therefore the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist in this case.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Isobel McCretton

INSPECTOR