

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 31 JANUARY 2019
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING AND
GOVERNANCE)

Appeal Decisions 13/12/2018 to 14/01/2019

6/2018/1554/HOUSE	
DCLG No:	APP/C1950/D/18/3213304
Appeal By:	Mr R Davies
Site:	The Mulberries Danesbury Park Road Welwyn AL6 9SE
Proposal:	Erection of a single storey side extension
Decision:	Appeal Dismissed
Decision Date:	17/12/2018
Delegated or DMC Decision:	Delegated
Summary:	<p>The main issue in this appeal was whether the proposal would amount 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 very special circumstances. The Inspector noted that the proposed extension, combined with an existing conservatory extension would amount to a cumulative increase in the width of the dwelling of around 50%.</p> <p>It was considered that this significant increase in the linear width of the original dwelling, and the cumulative additions, would amount to disproportionate additions over and above the size of the original building. This was therefore inappropriate development and, by definition, harmful to the Green Belt. The Inspector also found harm in the diminishing sense of openness that would result. Whilst it was noted that the extension is needed to accommodate a growing family, this could be claimed by many proposed developments in the Green Belt and it was afforded limited weight. Thus, very special circumstances were not found to apply and the appeal was dismissed.</p>
6/2018/1567/HOUSE	
DCLG No:	APP/C1950/D/18/3213306
Appeal By:	Mr R Davies
Site:	The Mulberries Danesbury Park Road Welwyn AL6 9SE
Proposal:	Erection of single storey side extension
Decision:	Appeal Dismissed
Decision Date:	17/12/2018

Delegated or DMC Decision:	Delegated
Summary:	<p>The main issue in this appeal was whether the proposal would amount 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 very special circumstances. The Inspector noted that the proposed extension, combined with an existing conservatory extension would amount to a cumulative increase in the width of the dwelling of around 50%.</p> <p>It was considered that this significant increase in the linear width of the original dwelling, and the cumulative additions, would amount to disproportionate additions over and above the size of the original building. This was therefore inappropriate development and, by definition, harmful to the Green Belt. The Inspector also found harm in the diminishing sense of openness that would result. Whilst it was noted that the extension is needed to accommodate a growing family, this could be claimed by many proposed developments in the Green Belt and it was afforded limited weight. Thus, very special circumstances were not found to apply and the appeal was dismissed.</p>
6/2018/1525/HOUSE	
DCLG No:	APP/C1950/D/18/3213131
Appeal By:	Mr C Durran
Site:	2A Whitehill Ayot St Peter Welwyn AL6 9AF
Proposal:	Erection of detached double garage
Decision:	Appeal Dismissed
Decision Date:	27/12/2018
Delegated or DMC Decision:	Delegated
Summary:	<p>The main issues are whether the proposal is inappropriate development within the Green Belt, the effect on the openness of the Green Belt and the character of the area and whether any harm identified is outweighed such as to amount to very special circumstances. The Inspector noted that the application dwelling is single storey with a floor space in the region of 90-93 square metres and that the proposed garage would be approximately 40-42 square metres. The appeal property was noted as being modest single storey which is low in height retaining a low-key appearance of a converted outbuilding. The proposal would be a generous double garage and although the roof profile would be low it would appear as a sizeable building relative to the size and scale of the dwelling. The Inspector therefore concluded that the building would be disproportionate to the size of the original dwelling and therefore harmful to the Green Belt by definition.</p> <p>The Inspector found that the proposal would not cause additional harm to the openness of the Green Belt or that the building would be overly prominent and visually incongruous in the street scene. The Inspector noted the context of the recent development of 200 new homes nearby and the presence of a similar building nearby, but found that there were no very special circumstances identified sufficient to outweigh the harm caused, by definition, to the Green Belt. The appeal was dismissed.</p>

A concurrent application for an award of costs against the Council was also dismissed.

6/2018/1319/HOUSE

DCLG No:	APP/C1950/D/18/3212885
Appeal By:	Mrs N Laws
Site:	1 Rollswood Road Welwyn AL6 9TX
Proposal:	Erection of a single storey rear, part two, part single storey Front Extension and replacement of existing flat roof following demolition of existing laundry/Store Building
Decision:	Appeal Dismissed
Decision Date:	04/01/2019
Delegated or DMC Decision:	Delegated
Summary:	<p>The main issues are whether the proposal is inappropriate development within the Green Belt, the effect on the openness of the Green Belt and the character of the area and whether any harm identified is outweighed such as to amount to very special circumstances. The Inspector noted that the appeal property is a 2-storey detached house with a linked laundry/store building and detached double garage to the side. Floor space figures indicate that the dwelling was originally 118 square metres and that this was increased to 193 square metres as a result of a 1960s extension. The appeal proposals would result in the dwelling having a floor area of about 308 square metres, more than two and a half times the floor area of the original house. It was concluded that this would be a disproportionate addition to the property and therefore harmful, by definition, to the Green Belt.</p> <p>Further, as the proposal would result in a substantial increase in the volume, bulk and amount of development on the site, it would reduce, and therefore cause harm to, the openness of the Green Belt. This was attributed substantial weight. The Inspector also found that due to the prominence of the appeal building, the additional volume and bulk would result in an overly prominent and incongruous element and an unacceptable effect on the character and appearance of the surrounding area.</p> <p>The Inspector considered a number of other considerations, including the presence of a Certificate of Lawfulness for a very large outbuilding, that the appellant suggested they would implement should their appeal be unsuccessful, and the offer to give this up should permission be granted. However the Inspector considered the likelihood of this outbuilding actually being implemented was low and attached limited weight.</p> <p>There also exists a Certificate of Lawfulness for extensions to the dwelling itself, and the Inspector afforded this more weight and considered that this was likely to be implemented. However, it was noted that the extensions to the front of the property would still require planning permission. In conclusion, the Inspector found that the substantial harm to the Green Belt was not outweighed by any other considerations that would be sufficient to demonstrate very special circumstances.</p>

The appeal was dismissed.

A concurrent application for an award of costs against the Council was also dismissed.