



Appeal Decision

Site visit made on 27 January 2009

by **Martyn Single DipTP MRTPI**

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

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Decision date:
11 February 2009

Appeal Ref: APP/J1915/A/08/2083256

6c Broad Green Wood, Bayford, Herts, SG13 8PS

- 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 Mrs Ward against the decision of East Hertfordshire District Council.
- The application (Ref 3/08/0777/FP), dated 23 April 2008 was refused by notice dated 27 June 2008.
- The development proposed is a single storey rear extension & two storey side extension to existing house.

Decision

1. I dismiss the appeal.

Reasons for Decision

2. The appeal property is one of a group of dwellings within a wooded setting. Bayford is a Category 2 village where, by virtue of Policy ENV5 of the East Herts Local Plan Second Review April 2007, extensions to existing dwellings will be granted planning permission provided that certain criteria are met. Although I note that the appellant considers the property to be within the village it is, in my view, such a distance outside the main settlement that I believe that the second part of the Policy applies. This provides that in such locations extensions to dwellings will be expected to be of a scale and size that would not disproportionately alter the size of the original dwelling nor intrude into the openness or the rural qualities of the surrounding area. This, together with Green Belt Policy GBC1, aligns with the approach required by Government policy in Planning Policy Guidance Note 2 *Green Belts* (PPG2). PPG2 advises that there is a general presumption against inappropriate development.
 3. Consequently, the first main issue in this appeal is whether the proposal would be inappropriate development in the Green Belt. If inappropriate I have to consider whether any very special circumstances have been advanced by the appellant to outweigh its harm to the Green Belt by reason of inappropriateness, or any other harm. A second main issue is the effect of the proposal on the openness of the Green Belt and the character and appearance of the estate having regard to its scale, siting and design.
 4. PPG2 indicates that development plans should make clear the approach that
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local planning authorities will take in deciding whether an extension would be disproportionate to the original. Some Councils provide a percentage figure above which an extension is considered to be disproportionate. Paragraph 8.9.2 of the supporting text to the East Herts Local Plan, however, says that it is not possible to state categorically what maximum size of extension is likely to be permissible. An assessment consequently has to be made in each case depending on the nature of the existing dwelling, in this case one of a number of similar semi-detached properties apparently once associated with an agricultural estate.

5. The Council advises that the extension would amount to a 72% increase on the floorspace of the original dwelling, a figure not challenged by the appellant who points out that other dwellings on the estate have been increased by more than 70%. On my visit I saw that roughly half of the twenty or so properties had been extended to varying degrees. I do not know the circumstances relating to those extensions, when they took place or what policies were current at the time of planning permission being granted. However, in respect of the present appeal, from my experience I regard a 70% extension as amounting to a very substantial one on a semi-detached dwelling of this size. I conclude that a percentage increase of this size cannot be considered to be a limited extension to the dwelling. It would be a disproportionate addition and inappropriate development.
6. Inappropriate development is, by definition, harmful and the onus is on an appellant to demonstrate very special circumstances to justify why planning permission should be granted. Other than referring to other extensions on the estate the appellant has not put forward any matters specifically for my consideration as very special circumstances. Very special circumstances sufficient to outweigh the harm that would be caused, by reason of its inappropriateness in the Green Belt have not been demonstrated to exist.
7. Turning to the second main issue PPG2 identifies openness as being the most important attribute of Green Belts. This applies as much to this situation within an existing group of dwellings as it does in more open countryside. The property does not appear to have been extended before, having a ridged roof together with a two storey gable at the rear containing the kitchen and a bedroom. Properties on the estate are generously spaced although some have been extended at the side. The flank wall of no. 6c is some six metres or so from the site boundary with the adjoining dwelling no. 6d, although part of this space is occupied by a single garage. The proposal would add an extension to the side of the dwelling that would equate to more than half the width of the existing dwelling, bringing its flank wall to 1.5 metres from the boundary.
8. I viewed the site from several positions and it was apparent that the gap at the side of the dwelling is fairly open giving a view through to the woodland behind. An extension of this size and scale would, when viewed from a very short distance to the west, merge with the side wall of no. 6d, closing off this gap. It would, in my judgement, obscure the views to the trees behind and would seriously harm the openness of the Green Belt and be contrary to Local Plan Policies GBC1 and ENV5.

9. I acknowledge that other dwellings in Broad Green Wood have two storey side extensions but these are wholly different to the form of development proposed. I found the impact of most of them in the street scene to be acceptable. None that I saw extend as close to the side boundary as this proposal and continue to afford a sense of spaciousness to the estate. Furthermore, whilst I note that the Council's submissions suggest that the main objection relates to the rear extension, I firmly believe that this proposal ought to have followed the design philosophy of some of the other extensions whereby first floor accommodation on the front is provided by the inclusion of dormer windows. This would assist in retaining a degree of consistency in the estate without stifling individual design.
10. To the rear, whilst not evident in the street scene, I find the addition of a further gable to the master bedroom to unbalance the proportions of the dwelling. Overall I do not find that the extension would provide the high standard of design now required by local and national policy. It would not relate well to the existing dwelling or the estate as a whole. I note that an amendment is suggested to the single storey element at the rear but this does not affect my decision as it does not address the main deficiencies of the scheme. I conclude that the proposal would be of such a scale, siting and design that it would have an adverse impact on the openness of the Green Belt and the character and appearance of the estate contrary to Policies GBC1, ENV5 and ENV6 of the East Herts Local Plan Second Review April 2007.

Martyn Single

INSPECTOR