

Appeal Decision

Site visit made on 19 December 2016

by Chris Couper BA (Hons) DiP TP MRTPI

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

Decision date: 4 January 2017

Appeal Ref: APP/B1930/D/16/3161147

1 Rose Cottages, Station Road, Bricket Wood, Hertfordshire AL2 3PF

- 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 Michael Mouldsdales against the decision of St Albans City and District Council.
 - The application ref: 5/16/1737, dated 2 June 2016, was refused by notice dated 28 July 2016.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 1 Rose Cottages, Station Road, Bricket Wood, Hertfordshire AL2 3PF in accordance with the terms of the application, Ref 5/16/1737, dated 2 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan at 1:1250 scale, and drawing no. 01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

Main Issue

2. The main issue is whether or not the proposal constitutes inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies.

Reasons

3. The site is located within the Green Belt where the National Planning Policy Framework ('Framework') states that inappropriate development is, by definition, harmful, and should not be approved except in very special circumstances. At paragraph 89 it regards the construction of new buildings as inappropriate, unless, amongst other things, it is the extension or alteration of a
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building, provided that it does not result in disproportionate additions over and above the size of the original building.

4. In its decision the Council cites the Framework as well as policies 1 and 13 of the City and District of St Albans District Local Plan Review 1994 ('LP'). The LP pre-dates the Framework, which states that in such cases due weight should be given to relevant policies according to their degree of consistency with it.
5. LP policy 1 refers to appropriate uses in rural areas of the Green Belt, but does not list extensions to buildings as a form of development that may be acceptable. It does however state that regard will be had to other policies, including LP policy 13. That policy states that extended dwellings in the Green Belt should be modest in scale and visually well-integrated, and that extensions may be permitted, unless the scale or visual impact upon the original building would create a building of significantly larger or different character. However, given the significant differences between the wording of those policies and the approach in the Framework, I have given them very limited weight.
6. The Council also makes reference to its Residential Extensions and Replacement Dwellings in the Green Belt Supplementary Planning Guidance 2004 ('SPG'), which provides further guidance in relation to LP policy 13. However, having given LP policy 13 very limited weight, and as many of the SPG's references, such as those relating to permitted development rights, the visual impact on the locality, and protecting countryside views, are outdated or not addressed by Green Belt policies in the Framework, I give it limited weight in my decision.
7. Nevertheless, the SPG does provide advice on acceptable size ranges for side and rear extensions, and indicates that LP policy 13 and the SPG were considered to accord with the guidance on 'disproportionate additions' in the now superseded PPG2. At Table 2 it states that, as a guide, an extension of 90 to 180 cubic metres, or 20% to 40% floorspace increase (whichever is the greater of the two ranges) may be acceptable. Although the volume guide is a poor measure of proportionality, in the absence of other specific guidance on what constitutes a disproportionate addition I have taken the advice in the SPG as a reasonable starting point in this appeal.
8. No. 1 Rose Cottages is a two storey end of terrace property. It has been previously altered with a rear dormer, a single storey rear extension, and a set-down, set-back two storey side extension. The Council calculates that, taking account of alterations to the original dwelling, the scheme would result in a total increase of 74% of the floorspace, or 157.9 cubic metres. The appellant has not challenged those figures.
9. Based on those figures, whilst, cumulatively, the additional floorspace would exceed the guidance in the SPG, the additional volume would not. The proposed single storey extension would be flat-roofed to match the low height of the existing rear extension. It would have limited dimensions and would not extend further to the rear or side than the existing building. Its overall size would be very modest. I do not have details of the original building's volume. However, having taken account of its two storey form and its proportions, and having considered the cumulative impact of this and previous extensions to it, I conclude that the proposal would not constitute a disproportionate addition.

10. The Council concludes in its delegated report that having assessed matters such as scale and siting, the scheme would not harm the open character of the Green Belt. Given, the proposal's limited height and dimensions, and its context, where it would in effect infill an existing return to the rear of the dwelling, I agree that it would not harm the Green Belt's openness.
11. The Council has not suggested any conditions in the appeal questionnaire. However, applying the Framework's tests, the standard time limit condition is necessary, and, as it provides certainty, I have also imposed a condition specifying the relevant drawings. Finally, the application form states that the scheme would be finished with matching materials. In accordance with the Council's delegated report, and in the interests of the character and appearance of the host dwelling and the area, I have imposed a condition to that effect.
12. Summing up, the proposal would not be inappropriate development in the Green Belt and would not harm its openness. Consequently there is no need to demonstrate very special circumstances in order to justify it, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR