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## Appeal Decision

Site visit made on 14 March 2017

**by Y Wright BSc (Hons) DipTP MSc DMS MRTPI**

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

**Decision date: 13 April 2017**

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**Appeal Ref: APP/B1930/D/17/3168060**  
**101 Piggotshill Lane, Harpenden AL5 5UN**

- 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 Ms D Pearson against the decision of St Albans City & District Council.
  - The application Ref 5/16/3188, dated 21 October 2016, was refused by notice dated 14 December 2016.
  - The development proposed is two storey side extension, removal of conservatory & rear extension for a replacement rear single storey extension.
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### Decision

1. The appeal is allowed and planning permission is granted for two storey side extension, removal of conservatory & rear extension for a replacement rear single storey extension at 101 Piggotshill Lane, Harpenden AL5 5UN in accordance with the terms of the application, Ref 5/2016/3188/HSE, dated 21 October 2016, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 10455-LP, 10455-BP4, 10455-03-A and 10455-RP-A.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Main Issues

2. As the appeal site is within the Green Belt the main issues are:
  - Whether the proposal is inappropriate development for the purposes of the National Planning Policy Framework and development plan policy; and
  - The effect of the proposal on the character and appearance of the property and surrounding area.

### Reasons

#### *Whether inappropriate development*

3. The site is located within the Metropolitan Green Belt. The National Planning Policy Framework (the Framework) states that inappropriate development is by
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definition harmful and should not be approved except in very special circumstances. Paragraph 89 of the Framework indicates that except for a small number of exceptions, the construction of new buildings within the Green Belt should be regarded as inappropriate. Exceptions to this include where an extension or alteration to a building does not result in disproportionate additions over and above the size of the original building.

4. The Council cites Policies 1 and 13 of the St Albans District Local Plan Review (1994) (LP) within its reason for refusal. I note that Policy 1 does not specifically refer to extensions to dwellings within the Green Belt, but it lists Policy 13 which does. Policy 13 includes seeking to permit extensions to dwellings unless the scale or visual impact would create a building of significantly larger or different character when compared to the original house. The Residential Extensions and Replacement Dwellings in the Green Belt Supplementary Guidance (2004) (SPG) provides further guidance on Policy 13.
5. The Appellant considers that the development would increase the floorspace of the original building by 74% whilst the Council considers it would be 80%. The undisputed measurement for volume calculates the increase to be approximately 291m<sup>3</sup>. The SPG advises that floorspace should only increase by up to 40% for side and rear extensions and cubic content should increase by up to 180 m<sup>3</sup>. However I note that these figures are not rigid limits and that larger extensions above these figures have been found to be acceptable by the Council and by other Inspectors at appeal.
6. In this regard the Appellant has drawn my attention to an appeal decision<sup>1</sup> which allowed extensions to a dwelling which would result in an increased floorspace of 79%. Whilst I note the Council's comments that the majority of other examples were located in more built up areas, I am mindful that the Framework makes no distinction between urban or rural areas when considering proposals within the Green Belt.
7. I note that the Framework does not specify how a 'disproportionate addition over and above the size of the original building' should be assessed. Therefore whilst not referred to in the Framework, the use of floorspace and volume measurements are useful in assessing the size of an extension, when considered alongside other factors including the overall scale and mass of development.
8. In this regard I note that the width of the two storey side extension would be less than that of the main dwelling which in itself is rather modest in scale and its roof height would be set down from the existing ridgeline. Furthermore the depth and width of the single storey extension to the rear would be moderate. The development's height, width and increase in floorspace would be less than that of the original dwelling. Overall I consider that the size of development would be modest and would not result in disproportionate additions to the original building.
9. Consequently I conclude that the proposal would not constitute inappropriate development within the Green Belt. The development would therefore comply with the Framework and LP Policies 1 and 13 in this regard.

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<sup>1</sup> Appeal Ref: APP/B1930/D/15/3106088

10. I recognise that the proposal would extend built form into a part of the site that is currently open. However as I have found that the development would not be inappropriate, it follows that it would also not be harmful to the openness of the Green Belt.

*Character and appearance*

11. The appeal property is a detached two storey dwelling within a large plot, located along a single track lane of predominantly rural character. There is an area of trees and shrubs opposite the site, which extends along Piggottshill Lane for some distance. Behind this is a golf course. To the north is another detached dwelling and beyond is a small terrace of three modern properties. Immediately to the rear of the site and extending northwards is a large sewerage treatment plant. I saw on my site visit that most views of this plant are obscured due to the mature trees and boundary vegetation to the rear of the appeal site. Properties within the immediate locality, whilst limited in number, are varied in design and scale and are set back from the highway. The dwelling is surrounded by spacious garden areas and boundary hedgerows.
12. The development would be set down from the main dwelling's ridgeline and would generally match the existing materials and fenestration design of the main property. Whilst the size of the dwelling would inevitably increase I consider this would be of a modest scale.
13. I recognise that the development would extend built form closer to the boundary with the neighbouring property at No 103. However a significant gap between the properties would remain, maintaining the spaciousness around the appeal property. Whilst the house sits further forward on its plot than No 103 and is also at a higher level than this building, the overall design and scale of the proposal would not be overly prominent when viewed from Piggottshill Lane.
14. These factors in combination lead me to the conclusion that the development would be well-integrated and would appear subservient to the host property when viewed within the street scene. It would not be overly dominant and overall would be in keeping with the character and appearance of the existing dwelling and the surrounding area.
15. Consequently I conclude that the development would not result in material harm to the character and appearance of either the property or the surrounding area. The proposal would generally comply with LP Policy 69 which seeks a high standard of design and Policy 72 which amongst other things, seeks extensions that relate to the domestic scale, character and appearance of the street and are appropriate to the original building. It would also accord with the Framework in relation to design.

*Other matters*

16. Reference has been made by both main parties to a Certificate of Lawfulness<sup>2</sup> for development of side, rear and roof extensions at the appeal property. The Appellant considers this would increase the floorspace of the original dwelling by approximately 76%, a sum not dissimilar to the development proposed in this appeal. Nevertheless the scheme is of a different design and I note that

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<sup>2</sup> Council Ref: 5/2015/1943

the Appellant states that she is unlikely to implement it. I have therefore given it limited weight within my decision.

### **Conditions**

17. I have considered the conditions suggested by the Council in light of the advice given in the Planning Practice Guidance (PPG). I am satisfied that they meet the tests within the PPG and accordingly I include them within my decision.
18. Consequently I attach a condition requiring the development be carried out in accordance with the approved plans to ensure certainty. I also impose a condition requiring that the materials to be used in the construction of the external surfaces of the development match those used in the existing building to ensure a satisfactory appearance.

### **Conclusion**

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

*Y. Wright*

INSPECTOR