The Planning Inspectorate

Appeal Decision

Site visit made on 19 August 2019

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date:27 August 2019

Appeal Ref: APP/B1930/D/19/3232416
The Wildings, Dunstable Road, Redbourn, St. Albans, Hertfordshire AL3 7PT

- 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 and Mrs V Armenian against the decision of St Albans City Council.
- The application Ref 5/19/0521 was refused by notice dated 7 June 2019.
- The development proposed is garages, replacing existing, with new garage doors.

Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:

   whether the proposal would amount to inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies, 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 the very special circumstances necessary to justify the proposal; and

   the effect of the proposal on the openness of the Green Belt

Reasons

3. The Framework explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. The construction of new buildings in the Green Belt is inappropriate unless in accordance with exceptions in the Framework. One exception is the extension or alteration to a building providing it does not result in disproportionate additions over and above the size of the original building.

4. Whilst saved Policy 1 in the St. Albans District Local Plan Review 1994 defines exceptions for development in the Green Belt that predate those in the

Framework, it does identify the Green Belt within the District and acknowledges the stated purpose of the Green Belt.

5. Saved Local Plan Policy 13 refers to extensions to dwellings in the Green Belt, including garages or outbuildings. Guidance in the Council's *Supplementary Planning Guidance Residential Extensions and Replacement Dwellings in The Green Belt* (May 2004) states that garages and outbuildings within 5 metres of the original dwelling will be classed as an extension. The garage block has been substantially completed. It is over 5 metres from the original dwelling. Thus, following the Council's own guidance, it cannot be considered as an extension to the existing dwelling.

6. Another exception in the Framework with regard to development in the Green Belt is the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces.

7. Although the existing building currently has two large front windows, the proposal is to replace these windows with garage doors and for the building to be a garage block. I have determined the appeal proposal on this basis. I note that there was a previous garage building in this position, although it is not clear when that building was removed. I have been provided with photographs of that building.

8. The Council has stated that the floorspace of the previous outbuilding was around 55 square metres with a volume of around 133 cubic metres. The existing building measures some 74 square metres in floorspace, with a volume of some 286 cubic metres. I have no means of verifying the size of the original building, but see no reason to dispute these figures. Even given their approximation, it is clear to me that the existing building is materially larger than the one it has replaced. This is particularly exacerbated by the scale of the roof. Thus, I consider that the proposal would constitute inappropriate development in the Green Belt.

9. Added to the harm of being inappropriate development is the impact that the building has in diminishing the sense of openness of this part of the Green Belt. The building adds further significant built form to this open rural setting, which diminishes the sense of openness of this part of the Green Belt.

Other Considerations

10. I have been referred to a previous appeal decision for a different location, Ref APP/B1930/D/15/3135561. That proposal was for a garage attached to a dwelling and thus is not directly comparable to the proposal before me, which I have determined on its individual merits. Therefore, I have attributed limited weight to this matter in my determination of this appeal.

11. I note that part of the original garage had a flat roof and the existing building has a gable roof form with rooflights. Due to the design of the building, I consider that the proposed garage would complement the design and style of the host dwelling. I have attributed some weight to this matter in my determination of this appeal.

Conclusion

12. In reaching my conclusion, I have had regard to all matters raised. It is necessary to determine whether there are other considerations which clearly

outweigh the harm to the Green Belt, hereby justifying the proposed garage block on the basis of very special circumstances. For the reasons stated above, in my opinion the considerations advanced in support of the proposal do not clearly outweigh the harm it would cause to the Green Belt. In conclusion, I am of the opinion that there are no material factors that would amount to the very special circumstances needed to clearly outweigh the presumption against inappropriate development in the Green Belt. Thus, the proposal would be contrary to policy outlined in the Framework and Saved Local Plan Policy 1.

J L Cheesley

INSPECTOR