



Appeal Decision

Site visit made on 10 March 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th March 2020

Appeal Ref: APP/B1930/D/19/3243816

Gardeners Cottage, Gustard Wood, Wheathampstead, Hertfordshire AL4 8RN

- 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 Wilson against the decision of St Albans City & District Council.
 - The application Ref 5/19/2353, dated 16 September 2019, was refused by notice dated 12 November 2019.
 - The development proposed is described as '1) refurbish the exterior of existing main house 2) provide a new west side loft dormer and 3) reconfigure two windows and the front door on the north elevation'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council altered the description of application 5/19/2353 to read 'insertion of dormer window to create extended habitable loft space, removal of chimney and addition of window to loft space, alterations to openings and alterations to materials on front elevation'. This is also the description used by the appellant on the appeal form, and I have therefore considered the appeal on this basis.
3. The Council raise no objection to the proposed removal of the chimney, the addition of a window to the loft space, or the alterations to openings and materials to the front of the dwelling. From the evidence before me and my site visit, I see no reason to disagree with this view. My decision therefore focuses on the proposed extension to the roof to create extended habitable loft space.

Application for costs

4. An application for costs was made by Mr Wilson against St Albans City & District Council. This application is the subject of a separate Decision.

Main Issues

5. The appeal site is within the Green Belt. Accordingly, the main issues are:
 - i) whether or not the proposal would be inappropriate development in the Green Belt;
 - ii) the effect of the proposal on the openness of the Green Belt; and
 - iii) if the development would be inappropriate, 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 it.

Reasons

Whether Inappropriate Development in the Green Belt

6. The National Planning Policy Framework (the Framework) advises that the construction of new buildings is inappropriate in the Green Belt, although some exceptions to this principle are specified. These include the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building.
7. Saved Policy 1 of the City and District of St Albans District Local Plan Review 1994 (the DLPR) defines the Green Belt and states that permission will not be given for development for purposes other than those which it lists unless very special circumstances exist. It does not refer specifically to extensions, but Policy 13 of the DLPR notes that extensions in the Green Belt may be permitted unless the scale or visual impact upon the building as originally constructed would create a significantly larger building. Although these policies pre-date and are not wholly consistent with the terms of the Framework, in these respects they conform broadly to the thrust of national Green Belt policy.
8. The Framework does not define 'disproportionate additions', but some guidance is provided by the Council's Residential Extensions and Replacement Dwellings in the Green Belt Supplementary Planning Guidance 2004 (the SPG). The SPG suggests that an increase in volume of between 90m³ and 180m³, or an increase in floorspace of between 20% and 40% (subject to a maximum increase in the cubic content of 300m³) may be acceptable. However, this is in relation to side and rear extensions, and the SPG indicates that the acceptable size of other extensions will generally be smaller. The SPG further emphasises that the impact of proposals will be considered cumulatively with previous extensions.
9. The main parties advise that the appeal dwelling has been extended in the past, and figures provided by the Council suggest that these have added around 800m³ to its volume and around 300m² in floorspace. The appellant has not challenged the Council's assessment of the size of the original dwelling, or these figures which are equivalent to increases of around 215% in volume and 280% in floorspace over the original dwelling.
10. While the main parties disagree over the additional volume which would result from the proposed extension, even based on the appellant's calculation of an additional 8.37m³, the proposal would result in a total increase to the volume of the appeal dwelling of around 809m³ or 217%. I accept that the guideline figures within the SPG are not rigid limits, and that in numerical terms, the additional volume would be relatively small in comparison to the existing dwelling and previous extensions. There would also be no further increase in floorspace. However, the increase in size of the dwelling would far exceed the guidelines advocated by the SPG. The cumulative effect of the appeal proposal would amount to a disproportionate addition over and above the size of the original dwelling, and a building which is significantly larger.
11. In reaching this view, I am mindful that such considerations should not rely solely on a mathematical comparison of size. Even so, the current mainly hipped roof form to this side of the dwelling offers some balance to compensate for the greater bulk of the opposing gable end, visibly reducing the overall mass of the dwelling. In contrast, the proposal would extend the ridge of the

roof across to the side of the two storey part of the dwelling, eliminating the more open aspect here. By reason of its scale and bulk, the extension would appear as a large, disproportionate addition to the original dwelling and would exacerbate the increase in size which has already occurred.

12. For these reasons, I conclude that in conjunction with the existing extensions, the proposal would be inappropriate development which is by definition harmful to the Green Belt and which would conflict with the Framework. There would also be conflict with saved Policies 1 and 13 of the DLPR, and with the SPG. In accordance with the Framework, I give substantial weight to this harm.

Openness of the Green Belt

13. There is generous spacing around the detached dwelling on the appeal site to neighbouring buildings, and together with the predominantly undeveloped nature of the adjacent golf course, this gives the area around the appeal site a notable sense of openness. The Framework emphasises that openness is one of the essential characteristics of Green Belts, and the Planning Practice Guidance further clarifies that openness is capable of having both spatial and visual aspects¹.
14. The proposal would not extend the maximum height, width or depth of the appeal dwelling. Given this and the substantial separation to neighbouring properties, I am satisfied that the proposal would not harmfully reduce any gap between buildings with an important role in maintaining openness. However, the proposal would add to the bulk and mass of the roof of the dwelling and the additional built form would result in some loss of openness and a degree of change to the character of the dwelling. Despite screening to the boundaries of the site, the position of the extension means that it would be visible from public viewpoints in the surrounding area, including from nearby public footpaths. It would therefore increase the visual impact of the dwelling on the Green Belt.
15. Given the relatively small scale of the extension, the degree of harm to the openness of the Green Belt would be modest. Nevertheless, the harm to openness in both spatial and visual terms would conflict with the aims of the Framework, and with saved Policy 13 of the DLPR which seek to preserve the openness of the Green Belt. I give this harm substantial weight.

Other Considerations

16. The appeal site is within the Gustard Wood Conservation Area (CA), and I have therefore paid special attention to the desirability of preserving or enhancing the character or appearance of this area in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
17. Together with the previous extensions, the development would significantly alter the appearance of the original dwelling. However, the proposed design, fenestration and use of matching materials would assist in integrating the proposal with the existing building and would be sympathetic to the area. Existing hedging around the site would also be maintained and for these reasons I am satisfied that the character and appearance of the CA would be preserved. However, the absence of harm weighs neither for nor against the proposal.

¹ Paragraph: 001 Reference ID: 64-001-20190722

18. The appellant has also suggested that the proposal would offer improvements in terms of the materials of the appeal dwelling and providing greater symmetry. Be that as it may, the existing materials and appearance of the dwelling do not cause it to appear unduly prominent or detract to any notable degree from the character or appearance of the area. I am not therefore persuaded that the proposal would result in significant enhancement and the weight that I afford this factor is accordingly limited.
19. The absence of harm to the living conditions of neighbouring occupiers or to landscaping on the site are neutral factors which do not weigh in favour of the proposal. However, I note that the development would offer additional living accommodation within the appeal dwelling and that insulation would be provided, increasing the energy efficiency and performance of the dwelling and I give these benefits some weight.
20. I note the separation to neighbouring buildings and the appellant's comments that these properties are larger than the appeal dwelling, but these points do not affect whether the proposal would be a disproportionate addition to the house. I have also considered examples put forward by the appellant of other sites where extensions have been allowed resulting in cumulative increases in size above the guideline figures within the SPG. However, from the limited information before me, these relate to proposals for single storey extensions and did not result in such large cumulative increases above the size of the original dwelling as proposed at the appeal site. Their circumstances are not therefore directly comparable, and this limits the weight I afford them.

Conclusion

21. Drawing matters together, the proposed development would be inappropriate development which the Framework identifies is, by definition, harmful to the Green Belt and which should not be approved except in very special circumstances. I have also found that the proposal would lead to some modest loss of openness which would cause harm to the Green Belt. The Framework advises that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
22. I find that the other considerations, either individually or collectively, do not in this case clearly outweigh the harm that I have identified so as to amount to the very special circumstances necessary to justify the development in the Green Belt. The development would therefore conflict with the Framework, and there would similarly be conflict with Saved Policies 1 and 13 of the DLPR.
23. For the reasons given above, I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR