



Appeal Decision

Site visit made on 29 September 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Appeal Ref: APP/B1930/D/20/3256258

105 Harper Lane, Shenley, Radlett WD7 9HG

- 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 Arnold against the decision of St Albans City & District Council.
 - The application Ref 5/20/0991, dated 23 April 2020, was refused by notice dated 24 June 2020.
 - The development proposed is a part single storey, part two storey rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a part single storey, part two storey rear extension at 105 Harper Lane, Shenley, Radlett WD7 9HG, in accordance with application ref. 5/20/0991, dated 23 April 2020 and 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building;
 - 3) The development hereby permitted shall be carried out in accordance with the following drawing numbers: 1920/OS; 1920/02-1B; 1920/02-2B; and 1920/02-3.

Application for costs

2. An application for costs was made by Mr Arnold against St Albans City and District Council. This application is the subject of a separate Decision.

Main Issue

3. The appeal site is located within the Green Belt. As a consequence, the main issue is whether the proposal represents inappropriate development.

Reasons

4. The National Planning Policy Framework (the Framework) confirms that the essential characteristics of Green Belts are their openness and their permanence. It also states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, Paragraph 145 of the Framework identifies exceptions

to this, one of which includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

5. Policy 13 of the City and District of St. Albans District Local Plan Review (1994) (LP) seeks to prevent extensions that would create a building of significantly larger or different character. The Residential Extensions and Replacement Dwellings in the Green Belt Supplementary Planning Guidance (2004) (SPG) seeks to expand on this with the overall aim to ensure that extensions do not have a detrimental effect on the openness of the Green Belt. The SPG establishes guidelines in relation to how extensions should be assessed, however, it also confirms that these are not rigid limits.
6. The SPG assesses extensions against matters including, type of extension, visibility from public viewpoints, gaps between buildings, design, landscaping, and heritage. Against these matters, the Council confirms that the proposal performs well. However, where it performs less successfully against the SPG is in relation to previous extensions and the cumulative effect of development.
7. The appeal site has been extended to the rear at ground floor level and to the side at two storey level. As a result of these extensions, the dwelling in its extended form exceeds the allowances suggested within the SPG. Accordingly, the proposal would result in a more significant breach. However, from a design perspective, the Council have confirmed that the proposal would be an appropriate addition to the dwelling. Although it would result in a small increase in footprint at ground floor level, the first-floor element would not project beyond the existing rear wing and the roof form and materials would ensure that the proposal would integrate well with the existing dwelling. It would therefore be a sympathetic addition and consequently, I have no reason to disagree with the Council in relation to the design and appearance of the proposal.
8. As identified above, a key characteristic of Green Belts is their openness. Due to the contained nature of the proposal and its successful integration with the existing building due to its suitable proportions, I am satisfied that the extension would not harm the openness of the Green Belt. Although the proposal would breach the guidance adopted by the Council, these are not rigid requirements, and nor should they be, in light of national policy. The proposal would represent a well-considered addition that would be sympathetic to the existing building. It would not be an imposing or dominant structure and although the size of the building would increase further, due to the sensitive design, it would not result in disproportionate additions over and above the size of the original dwelling.
9. I therefore conclude that the proposal would not represent inappropriate development within the Green Belt. Accordingly, it would comply with Policies 1 and 13 of the City and District of St. Albans District Local Plan Review (1994) as well as the Green Belt protection aims of the Framework. These seek to protect the Green Belt from inappropriate development.

Conditions

10. In light of my findings set out above, conditions are necessary in the interests of precision and clarity to establish the time limit for commencing development as well as the approved drawing numbers. In addition, to secure the required

integration with the existing dwelling, a condition is necessary to ensure that the materials used in the construction of the development match the existing building.

Conclusion

11. For the reasons identified above, the appeal should be allowed, and planning permission be granted.

Martin Chandler

INSPECTOR