



Appeal Decision

Site Visit made on 20 October 2020

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 23 October 2020

Appeal Ref: APP/B1930/D/20/3256646

12 Wistlea Crescent, Colney Heath, St Albans, AL4 0NL

- 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 Phil Eames against the decision of St Albans City Council.
 - The application Ref 5/19/2594, dated 15 October 2019, was refused by notice dated 12 May 2020.
 - The development proposed is first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: -
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework -2019- (the Framework) and relevant development plan policies, including any relevant effects on the openness of the Green Belt, and: -
 - Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

3. The appeal site lies on Wistlea Crescent, a residential street of two storey semi-detached, and short terraces of, dwellings facing onto an open, green area. Directly behind the site lies open, wooded land. Elsewhere on the crescent other properties are backed by a garage court, lying between them and the wooded area.
4. There is no dispute between the parties that the land is within the Metropolitan Green Belt. Paragraph 145 of the Framework establishes that the construction of new buildings in the Green Belt is inappropriate subject to a number of exceptions. These exceptions include 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. In this regard the 'original building' is the building as it existed on 1 July 1948, or, if built later, as it was originally built. Earlier development has substantially added to the original building, resulting in the structure that is the subject of this appeal.
6. Policies 1 and 13 of the City and District of St Albans District Local Plan Review -1994- (the LPR) identify forms of development that are not inappropriate development in the Green Belt. Extensions to existing buildings are not inappropriate development unless the scale or visual impact upon the building as originally constructed (or as existing at 1 July 1948 if the building were constructed earlier than that), would create a building of significantly larger or different character.
7. These policies are broadly consistent with the aims of those parts of the Framework which seek to protect the Green Belt from inappropriate development and encourage good design.
8. The St Albans City and District Supplementary Planning Guidance Residential Extensions and Replacement Dwellings in the Green Belt -2004- (the SPG) document provides detailed guidelines on extensions to dwellings where they lie in the Green Belt. It sets out various criteria against which proposals are assessed, including, amongst other things, the proportionate increase in size, whether the dwelling has been previously extended, and visibility of the proposal from the public realm.
9. The proposal would extend the dwelling at first floor level, with a projecting tiled roof taking up the majority of the footprint of the ground floor extension. The Framework does not explain what is meant by 'disproportionate'. However, the additional floor area would result in a very significant increase in floor area over that of the original building. Further, the extended roof would present a bulkier, more massive roof when compared to that of the original building. Taken together the proposed extension would be a disproportionate addition to the building and thus inappropriate development in the Green Belt.
10. The openness of the Green Belt has both a visual and spatial dimension. The extension would be visible from the adjacent gardens. In visual terms therefore, the increased bulkiness of the enlarged built form of the building would result in a reduction in the visual openness of the Green Belt.
11. Whilst the footprint of the dwelling would not be changed the proposed roof form of the dwelling would increase the bulk of the upper storey and the overall volume of the dwelling would also significantly increase. Given that the proposed development would increase the size of the dwelling significantly over the original, both in cumulative floor area and volume terms, the development would undoubtedly lead to a loss of openness in spatial terms.
12. The extension would be well screened from the public realm and the wider countryside but this does not affect my conclusion that the proposed development would reduce the openness of the Green Belt.
13. The Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in

urban regeneration, by encouraging the recycling of derelict and other urban land.

14. Given that the development would be contained within the existing plot boundary I find that it would not encroach further into the countryside and so would not be contrary to the purposes of the Green Belt.
15. Although the proposal would not conflict with the purposes of including land within the Green Belt, it would decrease the openness of the Green Belt and would be a disproportionate extension to the original dwelling. For these reasons, I conclude that the proposal would amount to inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies, including any relevant effects on the openness of the Green Belt. The proposal would therefore be contrary to Policies 1 and 13 of the LPR and Section 13 of the Framework, the aims of which I have set out above.

Other Considerations

16. The proposal would provide additional internal space within the dwelling and the appellant argues that the extension of the dwelling is necessary to allow an elderly parent to move into the dwelling. The proposal would provide limited benefits to the local economy in terms of short term employment in the construction industry. Taken together, and given the limited scale of the development, these benefits carry limited weight.
17. My attention has been drawn to other extensions in the area which the appellant considers similar to the proposal before me. However I have little information on the planning history of these sites upon which to determine whether they are contextually similar. I have, in any case, considered the proposal on its own merits.

Conclusion

18. The Framework establishes that substantial weight should be given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I am also mindful that the proposed development would be contrary to the development plan in these respects.
19. Against this there would be limited benefits accruing from the provision to move an elderly parent into the dwelling and from the boost to the local economy.
20. Consequently, I conclude that the harm by reason of inappropriateness is not clearly outweighed by other considerations, such that the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist. Accordingly, I conclude that this appeal should be dismissed.

I Dyer

INSPECTOR