



Appeal Decision

Site visit made on 28 January 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2021

Appeal Ref: APP/B1930/D/20/3261569

53 Langley Grove, Sandridge AL4 9DP

- 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 A Mrs Taylor against the decision of St Albans City and District Council.
 - The application Ref 5/20/1430, dated 30 June 2020, was refused by notice dated 13 October 2020.
 - The development proposed is described as 'the construction of a single storey side extension'.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side and a single storey front extension, alterations to openings and a juliette balcony following demolition of the existing garage and rear structure, a rear extension and a single storey side extension in accordance with the terms of the application, Ref 5/20/1430, dated 30 June 2020, 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: AT/LIV/LP/1, AT/LIV/BP/1, AT/LIV/E/1 Revision A, and AT/LIV/FAR/1 Revision 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.

Procedural Matter

2. In the application form the proposal was described as a single storey side extension. However, drawing no. AT/LIV/E/1 Revision A shows that the proposed single storey side extension would be attached to a previously permitted two storey side, and single storey front, extension. I observed on my visit that neither of those permitted extensions, nor a single storey rear extension where it was determined that prior approval was not required, has been built.
3. Consequently, I have considered in this appeal, all the proposed development depicted on that drawing and on drawing no. AT/LIV/FAR/1 Revision A. In my formal decision I have therefore taken the description of the proposal broadly from the appeal form, which corresponds with that set out in the Council's

application notification letter and in its decision. However, in the interests of clarity, and as they are not an act of development, I have omitted the previously permitted application reference numbers.

Main Issue

4. The main issue is whether or not the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies.

Reasons

5. The National Planning Policy Framework ('Framework') sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. At paragraph 145 it regards the construction of new buildings as inappropriate unless, amongst other things, at c) it is 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; or at e) it is limited infilling in villages.
6. The Council states that as the proposal would constitute a disproportionate addition over the size of the original building, it would conflict with the Framework and with policies in the City and District of St Albans District Local Plan Review 1994 ('LP') and in its Residential Extensions and Replacement Dwellings in the Green Belt Supplementary Planning Guidance 2004 ('SPG'). The appellants do not dispute that the proposal would be a disproportionate addition, and I have no reason to disagree with that conclusion.
7. Turning to Framework paragraph 145 e), neither LP Policies 1 or 13, nor the SPG, refer to limited infilling in villages as an exception where new buildings in the Green Belt may be acceptable. In that regard, the development plan is inconsistent with the Framework, and I therefore give those policies and the SPG very little weight in my decision.
8. The Council maintains that Framework paragraph 145 e) is not applicable. However, 'new buildings' can clearly include the extension of an existing building, as evidenced by the paragraph 145 c) exception.
9. Additionally, as the Framework does not define 'limited infilling', or what the use of the proposed development could be, I have no cogent reason to disagree with the definitions provided by the appellants in their Planning Statement, which are from the Dictionary of the English Language and the Collins English Dictionary. In broad terms, these refer to the filling or closing of gaps in a row of buildings, and the use of vacant land and property within a built-up area for further development.
10. Turning to this proposal, the appeal site sits within a row of buildings within the built-up area of Sandridge, which I understand is identified as a 'smaller village' in the LP. It is therefore within a village.
11. Other than the relatively small rear extension, the proposed development would be located to the side of the existing dwelling in an area partially occupied by a single storey projection and a low, flat-roofed garage. Whilst the land is not all vacant, the proposed development would have a greater footprint and bulk than that existing development, and it would partially close the gap between the buildings at 53 and 55 Langley Grove ('No 55').

12. However, in the context of the existing built development here and nearby, its scale and size would be limited.
13. For those reasons, the proposal would constitute limited infilling in a village. My conclusion that a proposed extension to a building could be considered against more than one of the exceptions in the Framework is supported by the approach taken in an appeal decision at 4 Redhall End, Colney Heath (Ref: APP/B1930/D/17/3188559).
14. Whilst the scheme would not accord with the LP's exceptions for new buildings in the Green Belt, I have given those policies very little weight in my decision. For the above reasons, the scheme would not be inappropriate development in the Green Belt, as defined in the Framework.

Conditions and Conclusion

15. Turning to the matter of conditions, and having regard to the Framework's tests, I have imposed the standard time limit condition and, in the interests of certainty, a condition requiring that the proposed development be carried out in accordance with the approved plans. In the interests of the character and appearance of the host property and the area a condition is also necessary requiring it to be faced in matching materials.
16. As the first floor flank window would serve a landing rather than a habitable room where people might typically linger, it is not necessary for it to be obscurely glazed to protect the living conditions at No 55.
17. Summing up, the proposal would not be inappropriate development in the Green Belt and, having regard to all other matters raised, the appeal is therefore allowed.

Chris Couper

INSPECTOR