



Appeal Decision

Site visit made on 30 August 2022 by C Glaister

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2022

Appeal Ref: APP/B1930/D/22/3297811

Hollybush, Hammonds Lane, Sandridge AL4 9BG

- 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 Cuthbert against the decision of St Albans City Council.
 - The application Ref 5/21/3134, dated 16 November 2021, was refused by notice dated 4 March 2022.
 - The development proposed is described as "Demolition of conservatory, front porch and side garden wall, relocation of front porch, first floor rear, single storey, front, side and rear extensions, alteration to fenestration and other associated works".
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Council do not indicate that there is any issue with the alterations proposed to the garage. The alterations would be modest, and there is no reason to disagree with the conclusions reached by the Council in this respect. The appeal will therefore focus on the remaining elements of the proposal.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (2021) (the Framework);
 - the effect of the proposal on the openness of the Green Belt;
 - if the proposal would be inappropriate development, 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 for the Recommendation

Whether Inappropriate Development

5. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that the construction of new buildings should be regarded as inappropriate in the Green Belt, with the exception of, among other things, 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. The Framework defines 'original building' as the building as it existed on 1 July 1948 or, if constructed after this date, as it was built originally.
6. Policy 1 of the City and District of St Albans District Local Plan Review (November 1994) (the Local Plan) sets out that, other than in Green Belt settlements or in very special circumstances, permission will not be given for development other than certain specified types. It adds that new development within the Green Belt shall integrate with the existing landscape, and that siting, design and external appearance are particularly important.
7. Policy 13 states that extensions to houses in the Green Belt may be permitted unless the scale or visual impact upon the original building would create a building of significantly larger or different character.
8. The Supplementary Planning Guidance Residential Extensions and Replacement Dwellings in the Green Belt (May 2004) (the SPG) suggests, among other things, that side and rear extensions should not generally exceed 180m³ or a 40% increase in floorspace (so long as it does not result in a cubic content above 300m³), subject to how well they perform against a range of other criteria. It also suggests visibility from public viewpoints is a material factor for consideration.
9. The property is a large two-storey detached dwelling set in a very spacious plot. It is within a rural countryside location and there is a considerable distance between the property and its nearest neighbour. A long path separates the dwelling from Hammonds Lane. The proposal seeks to extend the property in a number of areas, including at first-floor level, and at the side and rear at ground-floor level. The Council state that the previous extensions to the property have amounted to an approximate 90% increase in floorspace and an additional 358m³ of volume from the original building. The proposal, together with the previous extensions, would then amount to a 171% increase in floorspace and 626m³ of additional volume compared to the original building.
10. Figures relating to the increase in floorspace and the volume of the building are not the only elements to be considered when determining whether development is inappropriate. However, they do remain an important part of the assessment. The visual effect of the development should also be considered, and this includes the appearance of the property from within the site.
11. The development would perform well against some of the criteria set out in the SPG. However, the proposal would nonetheless result in significant increases in the size of the building in both numeric and visual terms, and would far exceed the guidelines given in the SPG beyond any reasonable degree. The development would add substantial mass at ground- and first-floor level, and in

combination with the previous extensions, would clearly result in disproportionate additions over and above the size of the original building.

12. Accordingly, the development would create a building significantly larger than the original building and would not comply with Local Plan Policy 13. Furthermore, it would be inappropriate development in respect of the Framework. By definition, such development would harm the Green Belt. Paragraph 148 of The Framework instructs 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 resulting from the proposal, is clearly outweighed by other considerations.

Openness

13. The site itself is large and open, and there are wide open fields around it. The proposal would be proportionally significant in relation to the original building. However, it would not encroach into the Green Belt in any significant sense and the effect of the development would be limited to a small area on and around an existing building. The effect of the proposal on the openness of the Green Belt, both visually and spatially, would therefore be limited.
14. Although the harm would be limited, the proposal would nevertheless be detrimental to the openness of the Green Belt.

Other Considerations

15. The appellant has suggested that the proposal would offer some visual improvements to the appearance of the property, and provide a better living environment for the occupants. The existing building is well presented and the improvements in terms of function and appearance would be limited. These improvements therefore hold little weight.

Conclusion and Recommendation

16. The proposal would be inappropriate development in the Green Belt and would be detrimental to openness. It would therefore conflict with Policies 1 and 13 of the Local Plan, the Framework, and the guidance in the SPG. The other considerations in this appeal do not clearly outweigh these harms, and the very special circumstances necessary to justify the development do not therefore exist.
17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR