



Appeal Decision

Site visit made on 6 December 2022

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2022

Appeal Ref: APP/B1930/D/22/3301496

2 Ivory Close, St Albans AL4 0GU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr and Mrs Matthew and Samantha Poulter against the decision of St Albans City Council.
 - The application Ref 5/2021/3014, dated 27 October 2021, was refused by notice dated 18 May 2022.
 - The development proposed is a two-storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues relevant to this appeal are:
 - whether the development is inappropriate in the Green Belt;
 - the effect of the development upon the openness of the Green Belt; and
 - whether any such harm by reason of inappropriateness, or any other harm, is clearly outweighed so as to amount to very special circumstances to justify the development.

Reasons

Whether inappropriate development

3. The appeal site is located in the Metropolitan Green Belt. Policy 1 of the St. Albans District Local Plan Review 1994 (the Local Plan) amongst other matters, specifies the types of development that might be considered appropriate in the Green Belt. This is consistent with the National Planning Policy Framework (the Framework). This regards the erection of new buildings in the Green Belt as generally being inappropriate.
4. There are some exceptions to this which are listed in Paragraph 148 of the Framework. This list includes the extension or alteration of a building provided that it does not result in a disproportionate extension over and above the size of the original building.
5. In considering this appeal, I have been directed towards the Residential Extensions and Replacement Dwellings in the Green Belt Supplementary Planning Guidance (2004) (the SPG), which specifies that a disproportionate extension is one that has a floor space greater than 40% of the original

dwelling. The evidence before me is indicative that the proposed extension would exceed this figure.

6. From the evidence before me, the SPG has been the subject of public consultation during its drafting and has been formally adopted by the Council. In consequence, the SPG carries a significant amount of weight in my considerations.
7. This increase in size would occur even though the proposed development would result in the removal of an existing conservatory that is sited to the side of the dwelling. Even though the proposed extension would project from the side wall by a smaller amount than the conservatory, the extension would have a greater height and would project further forward than the conservatory. Therefore, the proposed development would result in a substantial increase in the size of the appellant's dwelling.
8. Therefore, in consequence, the proposed extension represents an inappropriate development given that the floor space would be greater than the maximum threshold within the Supplementary Planning Document.
9. Although I note that the level of difference between this threshold and the size of the proposed development may not be construed as being of a large amount, I must have regard to the fact that the Supplementary Planning Documents has been the subject of public consultation and has been formally adopted by the Council.
10. In result, the extension would represent an inappropriate development in the Green Belt for it would not meet any of the exceptions specified in Policy 1, the SPG and the Framework.

Effect on openness

11. The proposed developments would be an extension to an existing dwelling that is sited within a line of other houses. The appeal site is located on the periphery of the settlement and therefore the presence of spaces between the dwellings is important in forming a transitional space between the more built-up areas of the settlement and the rural areas beyond it. Furthermore, through the gap to the side of the appellant's dwelling, it is possible to view a mature tree. This assists in the creation of a more open, less-developed, character.
12. The proposed development, by reason of its scale and form, would result in an overall increase in the level of built form within the surrounding area. This effect would be exacerbated by the extension having a height consistent with the original dwelling and a significant length. This means that the development would erode the spatial sense of openness that is an intrinsic feature of the Green Belt.
13. In addition, the proposed development would result in the erosion of the area's character due to the diminished level of gaps between buildings. Therefore, the proposed development would create a more urbanised character due to the larger form of built structures. This would mean that the proposed development would not be a subordinate addition to the dwelling. Furthermore, the proposed development would result in a diminished ability to view the mature tree to the rear of the appeal site.

14. Furthermore, the proposed development has the potential to be viewed from various parts of Ivory Close. This means that it would be experienced by a large number of people in addition to views from nearby residential properties. In result, the proposed development would also erode the physical sense of openness that is a feature of the Green Belt.
15. I have had regard to Paragraph 138 of the Framework, which sets out the reasons for including land within the Green Belt. By reason of the greater amounts of built form, the proposed development would result in the growth of the built-up area into the countryside. Therefore, the development would also conflict with the purposes of including land within the Green Belt.
16. I therefore conclude that the proposed development would have an adverse effect upon the openness of the Green Belt. The development, in this regard would conflict with Policies 1 and 13 of the Local Plan. Amongst other matters, these seek to ensure that new developments integrate with the existing landscape; and not result in a building that would be significantly larger, or of a different character.

Other considerations

17. The proposed development would result in improved living conditions for the appellant and their family. Whilst this is a matter of note, it has not been demonstrated that the appeal proposal is the only way by which this might be achieved. In consequence I can only give this matter a limited amount of weight.
18. The construction process is likely to generate some economic benefits. However, these are likely to be relatively small-scale and localised in impact, and also of a time limited duration. Therefore, this matter can also only be attributed a limited amount of weight.
19. My attention has been drawn to other buildings within the wider area. Whilst some of these are of similar designs to the appeal scheme, I have not been provided with full information regarding their planning circumstances. This means that I can only give them a limited amount of weight. Nonetheless, these are located in different locations and also have differing relationships with neighbouring properties. In result, they do not have the same adverse effects as the appeal scheme before me would have. Therefore, I can only give the presence of previously permitted extensions a limited amount of weight.

Planning Balance and Conclusion

20. The development plan and Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development 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.
21. I have concluded that the appeal scheme would be inappropriate development and would, by definition, harm the Green Belt. In so doing I have found harm to the openness of the Green Belt. Paragraph 148 of the Framework requires substantial weight to be given to any harm to the Green Belt.

22. The other considerations I have identified individually and collectively carry a limited amount of weight in favour of the proposal. As such the harm to the Green Belt is not clearly outweighed by the other considerations identified, and therefore the very special circumstances necessary to justify the development do not exist.
23. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR