



Appeal Decision

Site visit made on 18 March 2025

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal Ref: APP/B1930/D/25/3359333

13 Brownfield Way, Wheathampstead AL4 8LL.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sanjeev Bhatti against the decision of St Albans City and District Council.
 - The application Ref is 5/24/1324.
 - The development proposed is a two-storey front extension, demolition of rear extensions, new front porch garage conversion.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any other relevant development plan policies;
 - the effect of the proposed development 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 the extension constitutes inappropriate development in the Green Belt

3. The appeal property is situated in the Metropolitan Green Belt. The Framework indicates that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The Framework further establishes that development in the Green Belt should be regarded as inappropriate subject to a number of exceptions as set out in paragraph 154. One such exception being an extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

4. Policies 1 and 13 of the City and District of St Albans Local Plan Review (Adopted 1994) (LP), taken together are broadly consistent with the Framework insofar as they seek to apply national Green Belt policy to protect the openness and character of the Green Belt. The limited extension of existing dwellings is supported provided it is modest in scale so as not to create a significantly larger building, visually well integrated with the rural surroundings, has no significant impact on the character and appearance of the countryside and does not harm the ecology, natural beauty or amenity of the countryside.
5. The Council's Supplementary Planning Guidance: Residential Dwellings in the Green Belt (May 2004) (SPG), provides guidance on what may represent disproportionate additions along with other criteria relating to the character and appearance of proposals.
6. The SPG provides guidelines on size ranges for extensions which may be acceptable of between 20% and 40% increase in floor area and up to 300 cubic metres in volume. The SPG makes clear that these are not rigid limits. However, the appeal property has been previously extended by way of a two-storey and part single storey side extension. In addition, although the plans before me indicate that the single storey element is to be demolished a replacement single storey rear extension, the details of which have not been provided, was permitted in 2024.
7. From the information before me, it is clear that the appeal scheme combined with the remaining element of the previous extension would represent a disproportionate addition to the original dwelling which would significantly exceed the values considered appropriate in the SPG in such circumstances. Furthermore, the appeal scheme is not dependent on the demolition of the rear single storey extension.
8. Consequently, I conclude that the dwelling would be disproportionately larger than the original building. As a result, the proposal when considered cumulatively with earlier extensions would amount to a disproportionate addition to the dwelling and therefore would not accord with the exception set out in paragraph 154 c) of the Framework. It would accordingly amount to inappropriate development in the Green Belt which is by definition, harmful to the Green Belt, and I attach substantial weight to the harm it would cause. It would also fail to conform with LP Policies 1 and 13 which set out the Council's approach to development on the Green Belt.

The effects of the development on the openness of the Green Belt

9. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. The appeal property is located within an established residential estate. Notwithstanding the residential development in which the appeal site is situated, the openness of the Green Belt is evident in its wider context.
10. The appeal proposal would increase the volume and mass of the existing building. Despite the dwellings location as part of an existing development the scale and location of the proposal, although limited would impact on the openness of the Green Belt. This factor weighs against the proposal. Therefore, as the proposal would represent a disproportionate addition to an existing building it would result in a loss of openness which the Framework identifies as being an essential character of the Green Belt.

Other considerations

11. The Framework makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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.
12. The appellant proposes the demolition of an existing rear addition that would reduce the floor area of the property and thereby its volume. However, the proposal before is not dependant on the demolition proposed and there is nothing before me which gives me certainty that the demolition would actually take place. Accordingly, I give this consideration little weight.
13. The appellant argues that the proposed front extension would not detract from the character and setting of either the host property or the settlement. This is supported by the Council's view that the extension would not unacceptably alter the character of the of the dwelling. I accept that the proposal performs well against some of the criteria relating to the character and appearance of proposals found in the SPG. Whist this may be the case these considerations do not render the scheme acceptable, nor do they overcome the harm that would be caused to the Green Belt. I therefore afford this matter little weight and does not represent the very special circumstances required to outweigh the harm to the Green Belt which I have found.
14. I acknowledge the appellants apparent frustration at the Council's handling of the application. However, their administration of the application has no bearing on the planning merits of the appeal before me.
15. Consequently, the proposal would represent development which is a disproportionate addition over and above the original building to which no very special circumstances have been demonstrated that would outweigh the harm to the Green Belt.

Conclusions

16. For the reasons set out above the harm to the Green Belt would not be clearly outweighed by other considerations and, therefore, the very special circumstances required to justify the grant of planning permission have not been demonstrated. The appeal should therefore be dismissed.

Philip Willmer

INSPECTOR