



Appeal Decision

Site visit made on 21 July 2025

by **C Walker BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30th July 2025

Appeal Ref: APP/J1915/D/25/3367736

Lambourne, Pipers End, Hertford, SG14 2PB

- 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 & Mrs W & S Graham against the decision of East Hertfordshire District Council.
 - The application Ref is 3/25/0266/HH.
 - The development proposed is a double car port with bin and garden storage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address in the banner heading above is taken from the appeal form in the interests of accuracy.
3. Following clarification, the appellant's name in the banner heading above is taken from the appeal form.
4. It is not clear if the amended description of development in the decision notice was agreed by the appellants, and therefore I have taken it from the application form.

Main Issues

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

Reasons

Whether inappropriate development

6. The appeal site lies within the Green Belt as defined on the Policies Map of East Herts District Plan 2018 (DP). Policy GBR1 of the DP sets out that planning applications within the Green Belt will be considered in line with the provisions of

the Framework. This sets out at paragraph 154, that development in the Green Belt is inappropriate unless one of several exceptions apply.

7. The appeal property, Lambourne, is a detached two storey dwelling originally constructed in 1976. This has since benefitted from approved extensions comprising a first-floor extension over an existing ground floor extension and an extension to link the house to the previously detached garage which was granted planning permission in 2002, and a single storey side extension granted in 2017. Both of these have been built out.
8. The appeal proposal is for a detached car port to be used incidentally to the enjoyment of the host dwelling. The appellant asserts that the development would not be read as an extension to the dwelling in its location, design or its function. Despite this, whilst it would be set away from the dwelling to its frontage, I have had regard to it as a normal domestic adjunct as it would be grouped with and seen in context with the main house. Consequently, I am satisfied that the appeal should be considered against the exception to inappropriate development set out in paragraph 154(c) of the Framework. This relates to 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. Disproportionate is not defined by the Framework.
9. There is dispute between the main parties regarding the extent of the original building and no plans are before me to show it. From the evidence that is before me, it appears that a first-floor extension over the garage has taken place that is not shown on plan. The appellant has stated their evidence indicates it likely that the garage was not built in accordance with the approved plans. However, this evidence is not advanced and there is no lawful development certificate to make a finding on the matter. In the absence of this, I give more weight to the approved plans as described to me by the Council, which indicate the original building was devoid of a first floor over the garage, and that it does not form part of the original building.
10. Consequently, the floor area of the original building would be lower than the 290m² upon which the appellant relies. Taking into account previous extensions that have already taken place since its original construction, together with the proposed car port, the additions would equate to a percentage increase of around 63% in terms of floor space. The Council also asserts the footprint would increase by approximately 72% cumulatively. Volume calculations demonstrating the percentage increase of the proposal are not provided by either party. Such calculations would have provided a more rounded picture. Nevertheless, the quantitative assessment undertaken, indicates that the extensions, taken cumulatively, would be disproportionate over the original dwelling. It would therefore be inappropriate development in the Green Belt. This brings it into conflict with the Framework and Policy GBR1 of the DP.

Openness

11. The proposal is for a new detached building with a commonly agreed floor area of 48m². In this rural, domestic context, the building would be of a substantial size. It would be set away from the dwelling and on an area of currently open garden land. Its presence would considerably increase the scale and massing of the built form on the site and by its very nature would erode the openness of the Green Belt.

Even noting the presence of established landscaping to the boundaries, the extension would have a permanent spatial and visual presence from the public realm, albeit the landscaping would limit its visual harm.

12. The partial open nature of the car port at ground floor level would do very little to diminish the effect of the development on the openness of the Green Belt given its size and bulk and as the dwelling would form the backdrop when viewed from the public realm. Furthermore, it would not be readily viewed in association with the nearby nursery buildings. As such it would undermine the openness of the Green Belt which is an essential characteristic and undermine a fundamental aim of the Green Belt, which is to keep land permanently open as set out in paragraph 142 of the Framework. It would also conflict with Policy GBR1 of the DP for the same reason.

Other considerations

13. The appellant points to other detached garages having been approved in the Green Belt, with one at Chapters, a neighbouring property and others at Letty Green nearby. Limited details have been provided on the circumstances of these approvals or otherwise, to enable a direct comparison, such that I can give this only very limited weight.
14. I note that two electric vehicle charging points would be installed within the car port which would help reduce carbon emissions. However, these could equally be installed within the existing attached garage. I also note support from two local residents, and other factors advanced in support, such as its proposed construction of traditional materials, the removal of parked cars no longer interrupting views of the principal elevation and the lack of harm to living conditions. However, views of the dwellings would be interrupted by the proposal and as good design avoiding harm to living conditions are requirements of local planning policy and national guidance, I give these matters very limited weight.

Conclusion

15. It is clear that the original building, a modest, former agricultural workers dwelling, has been the subject of previous extensions and alterations. Together with the proposed new outbuilding, evidence indicates this would take the extensions and alterations to a disproportionate level and that the openness of the Green Belt would be compromised by the development. Therefore, the scheme constitutes inappropriate development. The Framework requires that substantial weight should be given to any harm to the Green Belt. This weighs heavily against the proposal.
16. Paragraph 153 of the Framework is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). VSC 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.
17. I have given very little weight to the other considerations in favour of the development. I find that the other considerations in this case do not clearly outweigh the harm I have identified. Consequently, the VSC necessary to justify the scheme do not therefore exist.

18. Therefore, for the reasons set out above, the proposal conflicts with the development plan and there are no material considerations, including the Framework, that would outweigh that conflict. I therefore dismiss the appeal.

C Walker

INSPECTOR