



Appeal Decision

Site visit made on 29 October 2025

by **P B Jarvis DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Appeal Ref: APP/B1930/D/25/3373576

1 The Old Dairy, Kinsbourne Green Lane, Harpenden AL5 3PF

- 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 S Sheffield against the decision of St Albans City and District Council.
 - The application Ref. is 5/25/0550.
 - The proposed development is demolition of small stable; construction of single storey outbuilding.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site comprises a semi-detached single storey dwelling created through the conversion of buildings on the site and various outbuildings. It is located in a countryside location though within a small group of dwellings along the northern side of Kinsbourne Green Lane. The existing small stable lies to the east side of the dwelling adjacent to its garden and just to the south of a larger 'L' shaped block of stables with concrete hardstanding yard area to the front serving both buildings. Both the dwelling and the stables are served by a gated access set back from the lane with a track along the eastern boundary of the site running past the stables and into the adjoining fields to the north.
4. Policy 1 of the St Albans Local Plan (1994) (SALP) sets out the development types that may be permitted in the Green Belt including where there are 'very special circumstances' but its wording is not wholly consistent with the Framework, though it does refer to 'small scale facilities for participatory sport and recreation'.
5. The Framework states at paragraph 154 that development in the Green Belt is inappropriate unless one of a number of listed exceptions apply. Given that the proposal is for the replacement of an existing building, part (d) appears to be the

- most relevant criteria. This states that the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces, would not be considered inappropriate development.
6. The existing stable building would be replaced by the proposed new building which would be used for the storage of feed and tack for the appellant's horses and to store vehicles related to the management of their fields and manege which adjoin the appeal site to the north. It is acknowledged that the proposed building would therefore be for the same use, that is associated with recreational 'horsiculture'. However, it would be considerably larger both in floorspace and volume terms. I consider that it would be materially larger than the existing building and thus would not satisfy the test in Framework paragraph 154(d). The appellant has acknowledged that this would be the case.
 7. However, the appellant suggests that criterion (b) of Framework paragraph 154 is also relevant. This exception allows for the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation (and other uses) as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
 8. I acknowledge that the proposed building would be related to appropriate facilities. However, as noted above, it would be much larger than that which currently exists. In addition, being 7 x 12 metres in footprint size and total height of around 4.6 metres, it would also appear as a large building, considerably larger than the adjoining stable building which would be retained. Whilst much of the site frontage is marked by a high hedge, the building would be visible through the site access. I consider that the proposed building, by reason of its size and siting, would have a harmful impact, both spatially and visually on Green Belt openness.
 9. Having regard to the purposes of the Green Belt as set out in Framework paragraph 143, I do not consider that there would be conflict with any of them. However, as the proposal would fail to preserve Green Belt openness, it would not satisfy criterion (b) of Framework paragraph 154.
 10. The appellant also argues that, alternatively, the proposal should be assessed against criterion (c) of paragraph 154. This exception allows for 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. In this respect, case law¹ has determined that a detached outbuilding can be considered as an extension to a dwelling and need not be physically attached to it, provided it relates both physically and functionally to the existing dwelling.
 11. As noted above, the appellant has confirmed that the proposed building would be related to the recreational keeping of horses and sited on land on a part of the site used for that purpose. On that basis, and notwithstanding the reasonably close proximity of the building to the existing dwelling, the proposed building would not be used for purposes incidental to the enjoyment of it and would thus not be an extension to it. For these reasons, the proposal would not fall to be considered under this criterion.

¹ Warwick District Council v Secretary of State for Levelling Up, Housing and Communities [2022] EWHC 2145 (Admin)

12. For the reasons set out above, I find that the proposal would be inappropriate development in the Green Belt which is by definition harmful and should not be approved except in very special circumstances. Substantial weight should be given to such harm in accordance with Framework paragraph 153.

Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, such as to amount to the very special circumstances required to justify the proposal.

13. The appellant contends that in terms of the impact on openness the proposed building would be of subservient scale to the existing dwelling and visually seen against its built form such as to reduce its visual impact. Additionally, it is argued that the building would be viewed as part of an existing group of buildings reflecting the existing development pattern. However, as noted above I do not agree that the visual impact of the building would be limited nor would it preserve Green Belt openness. In any event, any such 'lack of harm' would be a neutral matter that would not weigh positively against the substantial harm by reason of inappropriateness.
14. It is suggested that the building is the minimum necessary to provide covered storage for the proposed uses. Whilst I acknowledge that the existing building is small, there is little specific evidence nor full justification given for such a large building. In addition, whilst on site I saw that, in addition to the existing stable block, there is a further building to the rear (north) of it which currently provides a covered area for a tractor. It is unclear why these buildings would no longer be sufficient. Therefore, little weight is given to this factor.
15. The roof of the building would be used for the siting of solar panels with associated battery storage inside the building to assist in reducing energy use in both the house and buildings. This would be a benefit to which moderate weight can be given.
16. The appellant accepts that the property does not benefit from permitted development rights therefore there is no fall-back position to consider in this respect.
17. Having regard to all the above matters, I consider that they would not clearly outweigh the harm by reason of inappropriateness such as to amount to the very special circumstances to justify the proposal.

Conclusion

18. I therefore conclude that this appeal should be dismissed.

P B Jarvis

INSPECTOR