



SUPPLEMENTARY PLANNING GUIDANCE

RESIDENTIAL EXTENSIONS AND REPLACEMENT DWELLINGS IN THE GREEN BELT

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1.0 INTRODUCTION

- 1.1 Government policy as set out in Planning Policy Guidance (PPG) 12 - Development Plans, acknowledges the valuable role that supplementary planning guidance (SPG) can play in complementing the policies and proposals of the Development Plan. Government advice also indicates that SPG may be taken into account as a material consideration in the assessment of development proposals.
- 1.2 This supplementary planning guidance has been produced by St.Albans District Council to provide additional information to assist with the determination of applications for residential extensions and replacement dwellings in the Green Belt.
- 1.3 On 16 March 2004, the Council's District Plan Second Review Members' Steering Group approved the draft version of the SPG for public consultation purposes. Public consultation on the draft SPG took place during April 2004. A summary of the representations on the draft document was submitted to the District Plan Steering Group on 18 May 2004. This report suggested a 'Council's response' to each representation. A recommended finalised version of the SPG was also presented to this meeting.
- 1.4 The Council's Cabinet adopted this SPG on 26 May 2004. Appendix A to the SPG consists of a statement of consultation undertaken, the representations received and the Council's response to those representations.
- 1.5 The contents of this guidance will be taken into account as a material planning consideration in determining planning applications submitted after 9 June 2004.
- 1.6 This SPG provides supplementary information on the Council's policy on extensions and replacement dwellings within the Green Belt, Policy 13 of the District Plan Review (Adopted 1994), which is shown in Appendix B.

2.0 AIMS

- 2.1 The aim of this SPG is to ensure that extensions and replacement dwellings in the Green Belt do not have a detrimental effect on the openness of the Green Belt and are consistent with Local Plan Policy and Government guidance. The SPG will help to reduce uncertainty, ensure a consistent approach and provide clear guidance for applicants regarding the Council's assessment of planning applications.

3.0 POLICY FRAMEWORK

St.Albans Local Plan Review - Adopted 1994

- 3.1 The Local Plan is part of the statutory land use plan for St.Albans District. The Plan contains Policy 13 (see Appendix B), which sets out the Council's approach to applications for residential extensions and replacement dwellings within the Green Belt land of the District. The policy recognises that it would be unreasonable to refuse permission for modest extensions or replacement dwellings, however seeks to prevent structures that would potentially harm the amenity of both the countryside and nearby dwellings by being of a significantly larger scale or character.

Planning Policy Guidance Note (PPG) 2: Green Belts (1995)

- 3.2 Since the adoption of the Local Plan, Government Guidance in the form of PPG2 has been revised, updating guidance relating to Green Belts. Paragraph 3.6 of PPG2 covers extensions and replacement dwellings:

'Provided that it does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable.'

- 3.3 It is the Council's view that Local Plan Policy 13 is in accordance with the later guidance of PPG2.

Hertfordshire Structure Plan Review 1991 - 2011, Adopted 1998

- 3.4 The Structure Plan contains no specific policy guidance on residential extensions or replacement dwellings in the Green Belt.
- 3.5 The County Council's plan does however outline the countywide strategy for Green Belt development control. Policy 5, 'Green Belt', states:

'In the Green Belt there is a presumption against inappropriate development and permission will not be given, except in very special circumstances, for purposes other than those detailed in PPG2.'

4.0 PERMITTED DEVELOPMENT

- 4.1 Under the General Permitted Development Order (GPDO) 1995, house owners have the right to extend their properties within certain limits as permission is granted by the order. This is referred to as Permitted

Development (PD) without the requirement for the express grant of planning permission.

- 4.2 Dwellings in the Green Belt are entitled to the same PD rights as dwellings elsewhere; therefore the Council cannot control all the extensions that are constructed. Where the Council has imposed planning conditions to remove PD rights from dwellings, extensions may still be permitted, however the express grant of planning permission would be required.
- 4.3 Schedule 2, Part 1 (Classes A to E) of the GPDO (see Appendix C) sets out the maximum additions permitted as PD for residential extensions.
- 4.4 Where 'Article 1(5) Land' is referred to in Appendix C, this is land that is designated as a Conservation Area, where all types of property fall under the restrictions of Class A, point a (i).

5.0 PREVIOUS DOCUMENTATION

- 5.1 In the June 1993 St.Albans District Plan Review Inspector's Report, the Inspector concluded it was reasonable to provide a policy covering extensions to dwellings in the Green Belt. He did query the meaning of 'significantly larger' and commented it might be useful to give a percentage increase as a guide, with the proviso that each case was judged on its merits. However, as there was no specific objection to this, he did not make a recommendation to include a percentage figure in the policy and as such, the Council did not include a figure in the adopted District Plan Review of 1994.
- 5.2 In September 1993, the Council produced a document entitled 'Guidelines for Development Control - Extensions to dwellings in the Metropolitan Green Belt'.
- 5.3 This was an advisory document approved for Development Control purposes for use by the Council when determining applications for residential extensions within the Green Belt. It was, however, not subject to any public consultation, so was not classified as supplementary planning guidance.
- 5.4 The report concluded that four main guidelines should be applied to Green Belt extensions:
 - any extension should be visually well integrated with the Green Belt surroundings
 - no extension should create a building of significantly larger or different character
 - extensions should be visually well integrated with the existing dwelling
 - it would also rarely be acceptable for any extension to exceed the original floor area of the dwelling by more than 40%.
- 5.5 It is considered that rather than using this advisory document, the Council would benefit from SPG that enters into more detail relating to different types of extension and replacement dwelling, taking on board the Inspector's

comments of including a guide figure as well as detailed visual impact analysis.

6.0 APPEALS HISTORY

- 6.1 In the period February 2001 - March 2004, there were 25 appeal cases relating to extensions or replacement dwellings within the Green Belt in St.Albans District (Appendix D).
- 6.2 Of the 25 appeals in Appendix D, the Planning Inspectorate allowed a total of 7 (28%). All 6 standard residential extensions allowed were over the 40% increase in floorspace mentioned in paragraph 5.4. The fourth allowed an outbuilding to be constructed to the rear of a Green Belt dwelling.
- 6.3 It seems clear that each case needs to be addressed on all its individual merits rather than just applying a maximum percentage figure. The Inspector in one of these cases noted as such, saying that *'a figure of increased floorspace alone is not enough to be indicative of an extension being disproportionate to the original dwelling and openness of the Green Belt. The visual effect of any new structure is just as vital'*. However, other Inspectors may not necessarily take this stance.
- 6.4 These appeals further highlight the need for more detailed SPG that expands on Policy 13's criteria, as the sensitivity of Green Belt development requires a comprehensive assessment of all factors relating to each individual site.

7.0 SPECIFIC GUIDANCE

Residential Extensions

- 7.1 Applications for residential extensions in the Metropolitan Green Belt will be expected to comply with Policy 13 of the District Local Plan and point (i) of this policy is particularly relevant (see Appendix B). Applications will also be assessed against the following criteria:

(i) Size of extensions

a) Side and rear extensions - the Council will assess applications against criteria (ii)-(viii) on pages 6-9 and Tables 1 and 2 overleaf. It should be stressed that the figures in Tables 1 and 2 are guidelines, not rigid limits, and the Council's main concern will be to ensure that criteria (ii)-(viii) are complied with. The figures in the Tables are NOT in addition to, but inclusive of, any permitted development rights that a dwelling may benefit from. Therefore an extension of 90m³ to a semi-detached house permitted under Tables 1 and 2 would be an increase of 20 m³ over the 70m³ allowed under PD:

Table 1

How well do the proposals perform in relation to criteria (ii) - (viii) on pages 6-9?	Size of extension that will be permitted
Poorly	Below the bottom of the ranges in Table 2
Moderately	At or towards the bottom of the ranges in Table 2
Well	At or close to the top of the ranges, or maximum, in Table 2
Very well	Above the top of the ranges, or maximum, in Table 2

Table 2

Guidance on size ranges for side and rear extensions *	
Increase in cubic content (cubic metres) **	Percentage increase in floorspace **
90m³ - 180m³	20% - 40% (subject to a maximum increase in cubic content of 300m³)

Footnotes

* *Whichever is the greater of the two ranges (i.e. cubic content or percentage increase in floorspace) will be regarded as the top of the range. The approach of using cubic content as well as floorspace is considered to be a better measure of the overall size and impact of an extension and is consistent with regulations stipulated in the GPDO.*

** *90m³ and 20% = approximately 1.3 times the GPDO Class A permitted development limits for semi detached and detached houses.
180m³, 40% and 300m³ = approximately 2.6 times the GPDO Class A permitted development limits for semi detached and detached houses.*

b) Other extensions - it would not be appropriate to give any cubic content or percentage increase guidelines, but the size of extensions permitted will generally be considerably smaller than with side and rear extensions. Planning applications will be assessed against criteria (ii) - (viii) below.

(ii) Previous extensions

In view of the regulations set out in the GPDO, when calculating the size of extensions that will be permitted the base figure will be the original cubic content or floorspace of the dwelling when it was built, or as at 1 July 1948 if built before that date. Existing garages and outbuildings will only be included as part of the original floorspace if they were built at the same time (or existed at 1 July 1948) and are integral to the original dwelling. Any such structures built afterwards may be classed as extensions (see Table 3 below). As a result, the Council will assess the cumulative impact of any previous and proposed extensions to the dwelling.

(iii) Type of extensions

Please refer to Table 3 below for guidance as to the types of extensions that may be acceptable.

Table 3

Type of extension	Comments
Side	Single storey side extensions should not close valuable gaps between dwellings, please refer to criterion (v). Two storey side extensions can often have a detrimental impact on the openness of the Green Belt and may therefore be resisted.
Front	Porches generally acceptable. More substantial front extensions must not alter the character of the dwelling.
Rear	Generally viewed more favourably than side or front extensions.
Roof	Significantly raising the eaves or increasing the ridge height or bulk of a roof will normally be seen to create a building of different character and therefore be resisted.
Garages / outbuildings	Garages and outbuildings within 5m of the original dwelling, and over 10m ³ in volume will be classed as an extension. Where planning permission is required, applications will be assessed against the guidance for side, front and rear extensions above.

(iv) Visibility from public viewpoints

The position of extensions in relation to public viewpoints will be a material factor for consideration. Rear additions to dwellings are often shielded from public views and therefore have a limited visual impact on the locality. The

same size extension on a corner plot or at the front or side of a property may have an adverse effect on the general openness of the area.

Rear extensions in gardens that back onto open Green Belt land should also be sympathetic and of an appropriate size as not to detract from the overall view.

When considering views from public vantage points, (e.g. footpaths, bridleways and highways), existing screening by walls, fences and vegetation will be considered an advantage (see Fig 1). However this alone will not hold sufficient weight to render an extension appropriate. Extensions screened by buildings and/or permanent structures will be viewed more favourably.



Fig 1 - An example of good natural screening

(v) Extensions in gaps between dwellings

Where groups of dwellings or residential streets are located within the Green Belt, particularly in the nine Green Belt settlements listed below, adjoining terraced, semi detached, detached houses and bungalows may have gaps between properties (see Fig 2). These can sometimes, but not always, play an important role in both maintaining the open aspect of the area and providing views of the open countryside. Applications to extend into gaps that do perform such a function, both single and two storeys, will normally be resisted. Space between dwellings and around buildings will be critically examined to ensure that the rural character is not prejudiced.

Green Belt Settlements (listed in District Plan Review Policy 2): Kinsbourne Green, Colney Heath, Folly Fields, Gustard Wood, Lea Valley Estate, Frogmore, Sandridge, Sleafshyde and Smallford.



Fig 2 - Gaps between dwellings

(vi) Policy 72 constraints

Policy 72 (see Appendix F) of the District Plan Review (Adopted 1994) outlines a number of criteria that apply to residential extensions. These constraints can be of particular importance to extensions within the Green Belt and should be carefully addressed.

Criterion (iv) in Policy 72 cross-refers to the residential development parking standards in Policy 40. Government Guidance in PPG3 on 'Housing' states that local authorities should revise their parking standards to allow for significantly lower levels of off-street parking provision. The District Council's 'Revised Parking Policies and Standards' document (January 2002) does not contain revised residential parking standards, but explains the Council's interim position.

In the less accessible areas (including all the Green Belt area), the Council may accept parking provision below the Policy 40 standards, but will still seek sufficient spaces to meet likely parking demand. The Council intends to produce revised residential parking standards shortly.

(vii) Landscaping and Tree Preservation

Landscaping and natural vegetation are fundamental elements that contribute to the long-term amenity of an area, and play a vital role in shaping the Green Belt. Policy 74 (see Appendix G) of the District Plan Review (Adopted 1994) deals with the retention and provision of landscaping and will be applied to any application for extensions or replacement dwellings in the Green Belt.

(viii) Conservation Areas and Listed Buildings

The control of development in conservation areas and on listed buildings within the District is covered by Policies 85 'Development in Conservation Areas', 86 'Buildings of Special Architectural or Historic Interest' and 87 'Locally Listed Buildings'. Many of these areas and buildings lie within the Green Belt; therefore the above policies should be carefully addressed where appropriate.

Replacement dwellings

- 7.2 Planning applications for replacement dwellings in the Green Belt will be assessed against Policy 13 and point (ii) in this policy is particularly relevant (see Appendix B). Point (ii) c) in Policy 13 states that replacement dwellings will normally be permitted provided:

“the new dwelling is similar in character and size to the existing, demolished or destroyed dwelling, plus any extension that could have been permitted under point (i) of this policy.”

When deciding whether a proposed replacement dwelling is acceptable in relation to point (ii) c) in Policy 13, the Council will base decisions upon an assessment of the proposals against the criteria in paragraph 7.1 above.

- 7.3 The Council may remove Permitted Development rights by condition from replacement dwellings that are larger than the existing property to prevent further intrusion into the openness of the Green Belt.
- 7.4 The criteria outlined in Policy 70 of the adopted Local Plan, 'Design and Layout of New Housing', are relevant to applications for replacement dwellings in the Green Belt. Reference should also be made to the Council's Design Advice Leaflet No.1 'Design and Layout of New Housing', which supplements Policy 70.

8.0 CONCLUSION

- 8.1 The District Council's Cabinet adopted this document on 26 May 2004. It is for use in assessing planning applications for residential extensions and replacement dwellings in the Green Belt submitted after 9 June 2004. The Council anticipates that experience from the operation of this guidance will be used to inform a replacement for District Plan Review Policy 13 within the new Development Plan Document.

Appendix A - Statement of consultation undertaken, representations received and Council's response to representations

1.0 Consultation undertaken on Draft SPG

1.1 On 16 March 2004, the District Council's District Plan Second Review Members' Steering Group approved the draft version of the supplementary planning guidance (SPG) on 'Residential Extensions and Replacement Dwellings in the Green Belt' for public consultation purposes. The officer report to the Steering Group meeting included the following advice on the proposed public consultation arrangements:

"It is considered that the organisations and individuals listed in Appendix 2 should be consulted on the draft SPG. The consultation period will run for approximately one month until the end of April. Copies of the document will be available free of charge from the Council Planning Department and the District office in Harpenden as well as being sent to each of the District's Libraries. A press release outlining the purpose of the draft SPG and consultation period will also be produced.

The Planning (Development Control) Committees will be consulted on the draft SPG and the document will be presented to the Planning North meeting on 5th April 2004, Planning Central on 13th April 2004 and Planning South on 26th April. It is recommended that the public consultation arrangements proposed in paragraphs 8.1 - 8.3 above be agreed (see recommendation 2.2).

Following the consultation on the draft SPG, your officers will prepare a summary of the consultation responses. This will be submitted to the proposed Steering Group meeting in May and Members will also be presented with a recommended finalised version of the SPG. The SPG would then be referred to Cabinet for final approval in June."

1.2 The Steering Group resolved:

"That the public consultation arrangements for the draft supplementary planning guidance be as stated in section 8 of this report."

1.3 The following organisations and companies were consulted on the Draft SPG:

(i) Central and Local Government

Government Office for the East of England (GO-East)
Hertfordshire County Council
Colney Heath Parish Council
Harpenden Rural Parish Council
Harpenden Town Council
London Colney Parish Council
Redbourn Parish Council
Sandridge Parish Council
St.Michael Parish Council
St.Stephen Parish Council

Wheathampstead Parish Council

(ii) Local Groups / Organisations

Harpenden Society
Hertfordshire Society
London Colney Village Concern
London Green Belt Council
Park Street and District Residents Association
St.Albans Civic Society
St.Albans Community Forest Association
St.Albans District Association of Parish Councils
St.Albans Party
Wheathampstead Preservation Society

(iii) Local Agents

Briffa Phillips
Faulkners
Shire Consulting
Prospect Planning
Jan Molyneux
Architectural Design Practice
Ottaways
Brian Barber Associates
Rumball Sedgwick
Barker Parry
David Lane Associates
Ponsford King Partnership

(iv) Other

All District Councillors whose ward contains Green Belt land

1.4 The District Council also issued a press release to publicise the draft SPG. The release stated that copies of the Draft SPG could be obtained (free of charge) from the District Council Offices and encouraged people to comment on the draft document. It was also noted that the Draft SPG was available on the Council website, where the public had the opportunity to respond via the Internet.

2.0 Representations received and Council's response to representations

2.1 A total of 10 representations were submitted in response to the Draft SPG. These were submitted by:

Architectural Design Practice (planning consultants)
Barker Parry (planning consultants)
Hertfordshire County Council
GO-East

London Green Belt Council

St.Stephen Parish Council

Harpenden Town Council

Planning (Development Control) Committee North

Planning (Development Control) Committee Central

Planning (Development Control) Committee South

- 2.2 Table 1 overleaf summarises the representations received on the Draft SPG and sets out the Council's response to each point made. The table follows the order of the Draft SPG, and the Council's response column details any paragraph numbers that have been amended or deleted in the finalised guidance.

Table 1: Summary of representations received on Draft Supplementary Planning Guidance and Council's response to representations

Draft SPG Paragraph	Organisation Name	Summary of representations	Council's Response
All	GO-East	GO-East stated they would not support adoption of the document as SPG because they believe the 'limits' set out should be introduced in plan policy so they could potentially be tested.	Paragraph 7.1(i) a) has been amended to state that the figures in the Tables are only guidelines and not rigid limits. The main concern of complying with the criteria has been stressed. Table 1 and Table 2 have also been switched positions. GO-East submitted a revised response stating their support of the adoption of the document as SPG, further to the Council's amendments in light of their original comments.
All	Barker Parry	Policy 13 flawed as it rests on premise that all green belt houses are in rural surroundings. This is not the case with suburban ribbon development being apparent in St.Albans Green Belt.	Draft SPG has been produced to add further detail to Policy 13. Distinction made in representation has been covered in assessment criteria, particularly in paragraph 7.1(v).
All	The London Green Belt Council	Draft document welcomed and no specific comments.	Noted.
All	Harpenden Town Council	No problems with content of draft document and overall, well thought out.	Noted.
All	St.Stephen Parish Council	Draft document discussed and supported.	Noted.
All	St.Albans District Council Planning (Development Control) Committee North	Members supported the adoption of the document.	Noted.

All	St.Albans District Council Planning (Development Control) Committee Central	Members supported the adoption of the document.	Noted.
All	St.Albans District Council Planning (Development Control) Committee South	Members supported the adoption of the document.	Noted.
All	Architectural Design Practice	Generally support the refinement of guidance in Policy 13, particularly the provision of cubic content as well as percentage figures. Also, like the idea of graduating the guidance on the basis of performance in relation to criteria.	Noted.
1.1, 3.1, 3.2	GO-East	Pleased to note that the status of the document is made clear. The document is clearly cross-referenced to the Local Plan and PPGs 2 and 12.	Noted.
4.0	GO-East	Using selective extracts from GPDO is unnecessary, and as they are in isolation, may be taken out of context. Suggest that where GPDO is referred to, a full reference is given instead of reproducing selective extracts.	Comment noted and extracts of GPDO deleted from main body of text. Part 1 Classes A-E of the GPDO now reproduced as Appendix B and paragraphs 4.6, 4.7 and 4.8 of Draft SPG deleted, relevant parts of these paragraphs now appear elsewhere in the SPG.
4.2	St.Albans District Council Planning (Development Control) Committee South	Clarification required as wording could be interpreted to read that where PD rights have been removed, no extensions permitted at all.	Paragraph re-phrased to clarify that where PD rights have been removed, extensions can still be built, however planning permission is required for all development.

4.5	GO-East	More clarity in this paragraph would be helpful regarding its application to Table 1 (old) and how it is used in Appendix C (old)	Because the GPDO extracts have been deleted from main body of text, paragraph 4.5 is no longer relevant to section 4. As PD implications have been added to 7.1 and conversion ratio to Appendix E (new), 4.5 has been deleted.
5.1	GO-East	Unclear in 5.1 whether it was the intent of the Inspector that a % figure should be included in the policy in the local plan.	Wording of 5.1 amended to make it clear that the Inspector commented on % figure but did not make a recommendation for a figure to be included in the policy.
6.3	Barker Parry	Comment quoted is the stance of some, but by no means all Inspectors	Sentence extended to make clear that Inspectorate views might vary from quoted example.
6.3	Hertfordshire County Council	Support paragraph 6.3 as County Council regard that undue emphasis should not be placed upon assessing proposals in terms of its percentage volume increase if the merits of the scheme are outweighed by its impact on the openness of the Green Belt.	Comment noted and paragraph 7.1(i) a) has also been amended to stress that the figures provided are only guidelines and assessment against criteria is the Council's main concern.
7.1 Table 1 (old)	GO-East	Table 1 (old) does not make clear the relationship between the figures given and PD rights. For example, an extension of 90m ³ is only 20 m ³ above what may be constructed as PD. It is suggested that either the Table or supporting text is amended to incorporate the implications of PD rights.	Extra wording has been added to paragraph 7.1(i) a) to explain that the figures are inclusive of any PD rights a dwelling may benefit from.
7.1 (ii)	Architectural Design Practice	Issue with the 1 st July 1948 cut off date for cumulative effect of previous extensions - those built 30-50 years ago should have less account taken of them than more recent extensions.	1 st July 1948 is included as a cut off date in Policy 13 of the adopted plan, Supplementary Planning Guidance cannot change adopted Policy, only support it. 7.1 (ii) of the Draft SPG is therefore consistent with Policy 13.

7.1 (v)	Architectural Design Practice	Gaps between dwellings in Green Belt settlements can be in a suburban area, therefore extensions into them will have a lesser impact on the Green Belt and should be taken into account.	7.1 (v) text is not prescriptive to all gaps in Green Belt settlements. Words 'may' and 'can' suggest there is flexibility, however amendment included reading 'These can <i>sometimes, but not always</i> , play an important role...'.
7.1 (vi)	Barker Parry	Type of housing under consideration is of fundamental importance and a more useful basis to build guidance from. 7.1 (vi) has regard to this and could be usefully expanded.	Paragraph 7.1 (iii) 'Types of extensions' has been expanded into table form to provide more detail. Although (vi) deleted following advice from GO-East, (iii) considered to address this representation as far as possible.
7.1 (vi)	GO-East	The word 'significantly' effectively re-introduces a degree of uncertainty to what Table 2 makes specific. More seriously, it is not clear why older, rural properties should be treated differently. It is suggested that for consistency's sake this section is deleted.	Comments noted and in order to retain the specific guidance offered in Table 2 (old) that is the main aim of the document, paragraph 7.1 (vi) has been deleted.
7.2	Barker Parry	Neither Policy 13 nor PPG2 indicate that the criteria for assessing extensions and replacement dwellings are the same, yet 7.2 of the Draft SPG relates the assessment of a replacement dwelling to all criteria in 7.1. Point (ii) of 7.1 cannot be applicable to replacement dwellings as a result.	Policy 13 (ii) does indeed cross reference point (i) of the policy in that replacement dwellings should be similar in character to the original, PLUS any extension allowed under (i). Therefore, Draft SPG 7.2 merely repeats the cross-reference outlined in Policy 13 for consistency.
Appendix B (old) Appendix D (new)	GO-East	Appeals summary is useful, but does not indicate complexity of each case and could be misleading. Text to this effect should be included at the start and the reader referred to full Inspector's decision for more detailed information.	Extra text included indicating that the summary does not provide the whole picture and reader should refer to each decision for the full range of issues considered. Planning Inspectorate case references have also been added together with a website reference.

<p>Appendix C (old) Appendix E (new)</p>	<p>GO-East</p>	<p>Conversion ratio for cubic volume to floor area included in 4.5 not replicated here, which would be useful to see how floor area is derived</p>	<p>Appendix amended to include a sentence that explains the conversion ratio mentioned in paragraph 4.5, which has been deleted. Wording also added to make it clear that examples are for flat roofed extensions and pitched roofs would produce decreased floor areas.</p>
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Appendix B - Policy 13 of the St.Albans District Local Plan Review, Adopted November 1994

POLICY 13 EXTENSION OR REPLACEMENT OF DWELLINGS IN THE GREEN BELT

Any extended or replacement dwelling shall be modest in scale and visually well integrated with its rural surroundings and shall not harm the ecology, natural beauty and amenity of the countryside or nearby dwellings.

- (i) Extensions to houses in the Green Belt including garages or outbuildings may be permitted unless the scale or visual impact upon the building as originally constructed (or as existing at 1 July 1948⁽¹⁾ if constructed before that date), would create a building of significantly larger or different character;
- (ii) Replacement of existing dwellings in the Green Belt or dwellings which have been demolished or destroyed will normally be permitted provided:
 - a) the new dwelling occupies the site of the original dwelling or is located as close to the original dwelling as possible. A condition will normally be imposed requiring the old dwelling to be demolished and the materials removed from the site. In special circumstances the Council may permit a replacement dwelling in a different position, if this would improve the visual openness of the countryside or achieve some other acknowledged planning objective;
 - b) evidence is given that a demolished or destroyed dwelling was occupied within three years preceding the application;
 - c) the new dwelling is similar in character and size to the existing, demolished or destroyed dwelling, plus any extension that could have been permitted under point (i) of this policy;
 - d) that the proposed dwelling is not a replacement for a temporary dwelling or a dwelling constructed of short-life materials (see Policy 18).

Furthermore, despite point (i) above, there will be a general presumption against any extensions and incidental buildings being permitted.

Footnote

- (1) 1st July 1948 was the date when planning control was introduced by the Town & Country Planning Act 1947.

Appendix C - Schedule 2, Part 1 Classes A - E of the General Permitted Development Order (1995)

SCHEDULE 2 Article 3

PART 1 DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE

Class A

Permitted development

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

A.1 Development is not permitted by Class A if -

- (a) the cubic content of the resulting building would exceed the cubic content of the original dwellinghouse -
 - (i) in the case of a terrace house or in the case of a dwellinghouse on article 1(5) land, by more than 50 cubic metres or 10 %, whichever is the greater,
 - (ii) in any other case, by more than 70 cubic metres or 15%, whichever is the greater,
 - (iii) in any case, by more than 115 cubic metres;
- (b) the part of the building enlarged, improved or altered would exceed in height the highest part of the roof of the original dwellinghouse;
- (c) the part of the building enlarged, improved or altered would be nearer to any highway which bounds the curtilage of the dwellinghouse than—
 - (i) the part of the original dwellinghouse nearest to that highway, or
 - (ii) any point 20 metres from that highway,whichever is nearer to the highway;
- (d) in the case of development other than the insertion, enlargement, improvement or other alteration of a window in an existing wall of a dwellinghouse, the part of the building enlarged, improved or altered would be within 2 metres of the boundary of the curtilage of the dwellinghouse and would exceed 4 metres in height;
- (e) the total area of ground covered by buildings within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (f) it would consist of or include the installation, alteration or replacement of a satellite antenna;
- (g) it would consist of or include the erection of a building within the curtilage of a listed building; or
- (h) it would consist of or include an alteration to any part of the roof.

A.2 In the case of a dwellinghouse on any article 1(5) land, development is not permitted by Class A if it would consist of or include the cladding of any part of the exterior with stone, artificial stone, timber, plastic or tiles.

Interpretation of Class A

A.3 For the purposes of Class A -

- (a) the erection within the curtilage of a dwellinghouse of any building with a cubic content greater than 10 cubic metres shall be treated as the enlargement of the dwellinghouse for all purposes (including calculating cubic content) where—
 - (i) the dwellinghouse is on article 1(5) land, or
 - (ii) in any other case, any part of that building would be within 5 metres of any part of the dwellinghouse;
- (b) where any part of the dwellinghouse would be within 5 metres of an existing building within the same curtilage, that building shall be treated as forming part of the resulting building for the purpose of calculating the cubic content.

Class B

Permitted development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

B.1 Development is not permitted by Class B if -

- (a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which fronts any highway;
- (c) it would increase the cubic content of the dwellinghouse by more than 40 cubic metres, in the case of a terrace house, or 50 cubic metres in any other case;
- (d) the cubic content of the resulting building would exceed the cubic content of the original dwellinghouse -
 - (i) in the case of a terrace house by more than 50 cubic metres or 10%, whichever is the greater,
 - (ii) in any other case, by more than 70 cubic metres or 15%, whichever is the greater, or
 - (iii) in any case, by more than 115 cubic metres; or
- (e) the dwellinghouse is on article 1(5) land.

Class C

Permitted development

C. Any other alteration to the roof of a dwellinghouse.

Development not permitted

C.1 Development is not permitted by Class C if it would result in a material alteration to the shape of the dwellinghouse.

Class D

Permitted development

D. The erection or construction of a porch outside any external door of a dwellinghouse.

Development not permitted

D.1 Development is not permitted by Class D if –

- (a) the ground area (measured externally) of the structure would exceed 3 square metres;
- (b) any part of the structure would be more than 3 metres above ground level; or
- (c) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.

Class E

Permitted development

E. The provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.

Development not permitted

E.1 Development is not permitted by Class E if –

- (a) it relates to a dwelling or a satellite antenna;
- (b) any part of the building or enclosure to be constructed or provided would be nearer to any highway which bounds the curtilage than -
 - (i) the part of the original dwellinghouse nearest to that highway, or
 - (ii) any point 20 metres from that highway,whichever is nearer to the highway;
- (c) where the building to be constructed or provided would have a cubic content greater than 10 cubic metres, any part of it would be within 5 metres of any part of the dwellinghouse;
- (d) the height of that building or enclosure would exceed -
 - (i) 4 metres, in the case of a building with a ridged roof; or
 - (ii) 3 metres, in any other case;
- (e) the total area of ground covered by buildings or enclosures within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); or
- (f) in the case of any article 1(5) land or land within the curtilage of a listed building, it would consist of the provision, alteration or improvement of a building with a cubic content greater than 10 cubic metres.

Interpretation of Class E

E.2 For the purposes of Class E –

"purpose incidental to the enjoyment of the dwellinghouse as such" includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.

Interpretation of Part 1

I. For the purposes of Part 1 -

"resulting building" means the dwellinghouse as enlarged, improved or altered, taking into account any enlargement, improvement or alteration to the original dwellinghouse, whether permitted by this Part or not; and

"terrace house" means a dwellinghouse situated in a row of three or more dwellinghouses used or designed for use as single dwellings, where -

(a) it shares a party wall with, or has a main wall adjoining the main wall of, the dwellinghouse on either side; or

(b) if it is at the end of a row, it shares a party wall with or has a main wall adjoining the main wall of a dwellinghouse which fulfils the requirements of sub-paragraph (a) above.

Appendix D - Appeals Summary

Below is a brief summary of recent appeal decisions in St.Albans District relating to applications for extensions and replacement buildings and their appropriateness within the Green Belt. The Inspectors' conclusions noted here are merely an indicator of some of their comments and should not be considered as covering all the main issues. For the full picture on each case, please refer to each individual Inspector's decision. These can be requested by sending the Planning Inspectorate (PI) case reference to dl.library@planning-inspectorate.gsi.gov.uk.

a) SADC App Ref 5/00/1823 Elm Cottage, St.Albans Road, Redbourn

Inspector's Conclusions: Increase in floor area by 38% and new building would appear significantly larger with greater depth and bulk.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/00/1052962

b) SADC App Ref 5/00/1327 43a Napsbury Lane, St.Albans

Inspector's Conclusions: New garage and conversion of existing, this is a modest scheme with limited impact. No significant addition to the built form of the group of dwellings.

Inspector's Decision: **APPEAL ALLOWED**

PI Reference: APP/B1930/A/01/1058548

c) SADC App Ref 5/00/2022 264 Lower Luton Road, Wheathampstead

Inspector's Conclusions: Single storey side extension adding to existing extension, cumulative increase in floor area of 83%, therefore inappropriate development.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/01/1060662

d) SADC App Ref 5/00/1851 Hazelwood, Marshalls Heath Lane, Wheathampstead

Inspector's Conclusions: Two-storey side extension to replace existing garage. Increase in floor area of 105%. Closes gap between semi-detached and general form of extension leads to material harm to openness of Green Belt.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/01/1064010

e) SADC App Ref 5/01/0074 21 Highfield Road, Sandridge, St.Albans

Inspector's Conclusions: Demolition of existing bungalow and replacement with 5 bedroom two storey dwelling, with an increase in floorspace of 130% and

larger footprint. Height, size and mass inappropriate and cause loss of openness in Green Belt.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/01/1063263

f) **SADC App Ref 5/01/0186** 18 Smallford Lane, St.Albans

Inspector's Conclusions: Two-storey side extension in place of existing garage and outbuildings, increase in floorspace of 67%. Width of house doubled, intrusion of extension into spacious corner would lead to a loss of openness in Green Belt.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/01/1073082

g) **SADC App Ref 5/01/1234** 128 Roestock Lane, Colney Heath, St.Albans

Inspector's Conclusions: First floor side extension on top of existing side and rear, no increase in footprint or height, but cumulative increase of original dwelling by 86%. Similar extensions carried out on half of 12 adjacent houses. Previous Inspector reached same decision on similar appeal at No.106 Roestock Lane. Houses are close knit giving suburban feel rather than open countryside.

Inspector's Decision: **APPEAL ALLOWED**

PI Reference: APP/B1930/A/01/1078351

h) **SADC App Ref 5/01/1226** 12 Manor Road, Wheathampstead

Inspector's Conclusions: Single storey rear and two-storey side extension would almost double the floor area of the original dwelling. Scale of the extensions would adversely effect openness of the area as large in relation to existing dwelling and located in prominent elevated position in locality.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/02/1083752

i) **SADC App Ref 5/01/1725** 33 Highfield Lane, Tyttenhanger

Inspector's Conclusions: Two storey side extension and replacement roofs would increase floor area by 71%. Inspector noted that the figure is not indicative that extension would be disproportionate, much depending on visual effect on both the original building and Green Belt. Extension well screened from public view by hedges and arrangement of locality, as a result the existing house would not appear significantly larger.

Inspector's Decision: **APPEAL ALLOWED**

PI Reference: APP/B1930/A/02/1083062

j) **SADC App Ref 5/01/1338** 76 Tollgate Road, Colney Heath

Inspector's Conclusions: Front and side extensions, together with an existing conservatory, would lead to a cumulative increase in floor area of 71%. Property on boundary of built up area and open countryside, therefore openness of Green Belt noticeably prejudiced by the new additions.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/02/1088430

k) **SADC App Ref 5/01/2316** 38 Manor Road, Wheathampstead

Inspector's Conclusions: Two-storey side and single storey front extension, together with the existing rear extensions, lead to a cumulative increase in floor area of 116%. Disproportionate development leading to loss of openness in Green Belt.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/02/1092207

l) **SADC App Ref 5/02/0910** 35 (and 33) Napsbury Lane, St.Albans

Inspector's Conclusions: Demolition of one half of a pair of semi detached houses (no.35) and replacement with 4 bedroom-detached dwelling. Increase in footprint only 10%, however addition of second floor increases floor area by 100%. Height increase of 1m also contributes to significant change in appearance of property, being visually imposing and therefore disproportionate and inappropriate in the Green Belt.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/02/1097498

m) **SADC App Ref 5/02/1073** Springfields, Spring Road, Kinsbourne Green, Harpenden

Inspector's Conclusions: Single storey rear extension and conversion of garage to living accommodation, increase in floor area of 74%, although existing permitted extensions form a large proportion of this. Appeal structure is tucked beside existing two storey rear projection, therefore insignificant impact on openness of Green Belt.

Inspector's Decision: **APPEAL ALLOWED**

PI Reference: APP/B1930/A/02/1100326

n) **SADC App Ref 5/02/0648 27 Sleapcross Gardens, Smallford**

Inspector's Conclusions: Two-storey extension leading to an increase in floor area of 87%. Width of property significantly increased when viewed from road. Position of extension also considered to harm the amenity of No.28 in relation to increased overlooking.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/02/1103858

o) **SADC App Ref 5/02/1508 Silver Birches, Lye Lane, Bricket Wood**

Inspector's Conclusions: Various roof alterations and first floor extension increasing the cumulative floor area from 134% above the original dwelling to 160%. Roof alterations changed front view to symmetrical, which gave a unified design rather than one of an extended house. Although small, impact on openness considered harmful.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/03/1107661

p) **SADC App Ref 5/02/1655 Westwick Warren, Westwick Row, Leverstock Green**

Inspector's Conclusions: First floor side conservatory, when added to previous extensions, takes cumulative increase in floor area to 114% more than original dwelling. Regarded as inappropriate development in the Green Belt. Design of conservatory is at odds with main dwelling and rural surroundings.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/03/1109823

q) **SADC App Ref 5/02/2509 'Avalon', Sleapshyde Lane, Smallford**

Inspector's Conclusions: Two storey and single storey side and rear extensions increasing floor area by approx. 75% over original dwelling. Inspector wary of setting a precedent by allowing this that would open the door for similar extensions, the cumulative effect being extremely harmful to both the street scene and openness of the Green Belt.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/03/1115222

r) **SADC App Ref 5/02/2406 27 Marshalls Way, Wheathampstead**

Inspector's Conclusions: Conservatory to rear of property, when added to previous extensions, floor area of original dwelling is almost doubled. Structure is well screened with limited views from open land.

However the Inspector noted that these factors only suggest that aspects of the proposal would not cause any harm, they do not cause any positive benefits in its favour. As a result, the conservatory was considered a disproportionate and inappropriate addition within the Green Belt.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/03/1112029

s) **SADC App Ref 5/03/0500 2 Green Lane Cottages, Napsbury Lane, St.Albans**

Inspector's Conclusions: First floor extension and roof alterations, together with extensions built in 1999, take cumulative increase in floor area on the original dwelling to 94%. Although no increase in footprint or height of the building, the scale and bulk of the built form would be significantly altered, changing the character and appearance of the property, which has open views from Napsbury Lane.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/03/1119408

t) **SADC App Ref 5/03/0554 60 Luton Lane, Redbourn**

Inspector's Conclusions: Replacement of existing bungalow and outbuilding with a two-storey property. Increase in floorspace of approx. 40% and height of just under a metre. Replacement dwelling considered being materially larger than previous and causing harm to openness of Green Belt.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/03/1120013

u) **SADC App Ref 5/03/0597 High Trees, Redbourn Lane, Harpenden**

Inspector's Conclusions: Double garage to the front of the property. Previous extensions have increased the floorspace of the dwelling by 102%. Garage would increase this figure to 130%. Inspector considered nearby properties that have also been extended, however these were only in the region of 70% and did not alter the character of the dwelling which was the case with the application property.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/03/1123668

v) **SADC App Ref 5/03/0552 The Willows, St.Albans Road, Sandridge**

Inspector's Conclusions: Application for a conservatory to the rear. Previous extensions had taken floorspace to 162% of original. Inspector in 1998 had allowed further extensions taking figure up to 175%, however mentioned that

there would be a point at which extensions must stop. Conservatory would take increase in floorspace to over 200% and Inspector concluded the cumulative impact of all extensions would constitute inappropriate development.

Inspector's Decision: **APPEAL DISMISSED**

PI Reference: APP/B1930/A/03/1123669

w) **SADC App Ref 5/03/0446** 105 Harper Lane, St.Albans

Inspector's Conclusions: Two-storey side extension required for dependant relative and provision of extra bedroom. Increase in floorspace of 60%. Inspector did not consider this to be inappropriate development and allowed the appeal with a condition to ensure the structure remained incidental to the enjoyment of the main dwelling.

Inspector's Decision: **APPEAL ALLOWED**

PI Reference: APP/B1930/A/03/1123311

x) **SADC App Ref 5/03/0328** 352 Lower Luton Road, Wheathampstead

Inspector's Conclusions: First floor loft extension and dormer window increased the floorspace to 99% above that of the original dwelling. Previous loft extension had taken figure to 71%. There was no increase in footprint and no unacceptable impact to neighbours or the Green Belt, therefore the Inspector allowed the appeal.

Inspector's Decision: **APPEAL ALLOWED**

PI Reference: APP/B1930/A/03/1123383

y) **SADC App Ref 5/02/2530** 12 Roestock Gardens, Colney Heath, St.Albans

Inspector's Conclusions: Conservatory to the rear of the property. Previous extensions in 1996 had increased the floorspace by 57% and created a gap. The conservatory filled this gap and the floorspace increase rose to 69%. As the structure in-filled an existing gap and was not visible from the street scene, the Inspector allowed the appeal.

Inspector's Decision: **APPEAL ALLOWED**

PI Reference: APP/B1930/A/03/1122647

Appendix E - Worked examples of figures in Table 2

Below are three examples of how the figures in Table 2 of the SPG can be applied. These examples assume the extensions are flat roofed. Pitched roofed extensions would result in a lower square metre figure.

Example 1

Dwelling Type: **3-bedroom cottage**

Existing Floorspace: **100 square metres**

The proposed extension performs well against criteria (ii) - (viii), therefore figures at the top of range in Table 2 can be used...

Cubic Content Increase: 180 cubic metres, which equates to approximately **64 square metres** (assuming a floor to flat roof height of 2.8m)

Percentage Increase: 40% of original floorspace which equals **40 square metres**

In this case, using the cubic content increase enables the largest extension (**64m²**) to be built.

Example 2

Dwelling Type: **4-bedroom family home**

Existing Floorspace: **200 square metres**

The proposed extension performs well against criteria (ii) - (viii), therefore figures at the top of range in Table 2 can be used...

Cubic Content Increase: 180 cubic metres, which equates to approximately **64 square metres** (assuming a floor to flat roof height of 2.8m)

Percentage Increase: 40% of original floorspace which equals **80 square metres**

In this case, using the percentage increase enables the largest extension (**80m²**) to be built.

Example 3

Dwelling Type: **Large country house**

Existing Floorspace: **500 square metres**

The proposed extension performs well against criteria (ii) - (viii), therefore figures at the top of range in Table 2 can be used...

Cubic Content Increase: 180 cubic metres, which equates to approximately **64 square metres** (assuming a floor to flat roof height of 2.8m)

Percentage Increase: 40% of original floorspace which equals **200 square metres**

200 square metres equate to approximately 560 cubic metres, which is above the maximum figure permitted in Table 1 of 300 cubic metres. An extension of **107 square metres** is the maximum permissible to remain under this limit.

In this case, using the percentage increase enables the largest extension (**107m²**) to be built.

Appendix F - Policy 72 of the St.Albans District Local Plan Review, Adopted 1994

POLICY 72 EXTENSIONS IN RESIDENTIAL AREAS

Planning applications for extensions to dwellings and other buildings in residential areas shall conform to the policies and principles below:

- (i) **Scale and character** - the extension shall relate to the domestic scale, character and appearance of the street;
- (ii) **Compatibility with original building** - the architectural style, roof form, windows, detailing and materials shall normally be appropriate to the original building, particularly in conservation areas;
- (iii) **Space around the building** - the extension shall not be so large as to seriously diminish the private space, including car parking/ garaging, around the original building (*Policies 41 and 70*);
- (iv) **Car parking/garaging** - if potential additional bedroom accommodation is proposed, permission will not normally be granted unless parking provision is made in accordance with Policy 40, criterion (iv);
- (v) **Affect on adjoining property** - the light, privacy or amenity of adjoining property shall not be unacceptably harmed. Balconies and first floor conservatories are not normally permitted;
- (vi) **Cumulative effect** - in areas of specific and repetitive character, applications that may lead to an adverse cumulative effect will be refused;
- (vii) **Side extensions** - where the cumulative effect would lead to terracing of detached or semi-detached houses, extensions other than at ground floor level shall normally be a minimum of 1 metre from the party boundary;
- (viii) **Single storey rear extensions** - shall not normally extend more than 3 metres rearward along a party boundary;
- (ix) **Two storey rear extensions**
 - a) Shall not normally intrude into a 45-degree visibility zone of a neighbour's ground floor windows, (*refer to the District Council's Design Advice Note No. 2*);
 - b) Shall comply with Policy 70 (vi) in terms of privacy.

Appendix G - Policy 74 of the St.Albans District Local Plan Review, Adopted 1994

POLICY 74 LANDSCAPING AND TREE PRESERVATION

The Council will take account of the following landscaping factors when considering planning applications:

(i) Retention of existing landscaping

- a) significant healthy trees and other important landscape features, such as hedgerows, ponds and watercourses shall normally be retained unless it can be shown that retention is incompatible with overall design quality and/or economic use of the site;
- b) on sites with significant existing landscaping, planning applications shall be supported by a full tree survey indicating all landscape features, tree species, canopy spread, trunk diameter and levels at the base of each tree;
- c) trees shall not normally be severely topped or lopped, or endangered by construction work or underground services. In addition, buildings shall not be sited where they are likely to justify future requests for tree felling or surgery for reasons of safety, excessive shading, nuisance or structural damage;
- d) The Council will make tree preservation orders and/or attach appropriate landscaping conditions to planning permissions to safeguard existing trees and ensure that new planting is established and protected.

(ii) Provision of new landscaping

- a) where appropriate, adequate space and depth of soil for planting must be allowed within developments. In particular, screen planting including large trees will normally be required at the edge of settlements;
- b) detailed landscaping schemes will normally be required as part of full planning applications. Amongst other things they must indicate existing trees and shrubs to be retained; trees to be felled; the planting of new trees, shrubs and grass; and screening and paving. Preference should be given to the use of native trees and shrubs;
- c) wildlife corridors shall be established in accordance with Policy 75, wherever opportunities occur.