



Planning Inspectorate
Department of the Environment

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CHIEF EXECUTIVE
 OFFICER

30 SEP 1988

PLANNING DEPARTMENT
 DACORUM DISTRICT COUNCIL
 Direct Line 0272-218927
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 GTN 2074

File No.
 Refer to *elo 30/9*
 Clearer

David Clarke
 47 Gravel Lane
 Boxmoor
 HEMEL HEMPSTEAD
 Hertfordshire
 HP1 1SA.

30 SEP 1988					
Comments					

Your reference: 87118
 Our reference: T/APP/A1910/A/88/092689/P5
 Date: 27 SEP 88

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JDA
~~*JDA*~~

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
 APPEAL BY LAWRENCE ATKINSON
 APPLICATION NO: -4/0145/88 *JRB*

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Dacorum Borough Council to refuse planning permission for the erection of two-storey and single storey extensions at "The White House", Featherbed Lane, Felden. I have considered the written representations made by you and by the Council and also those made by other interested parties. I inspected the site on 12 September 1988.
2. The appeal site is on the south side of Featherbed Lane to the west of its junction with Highcroft Road. It consists of a detached two storey house finished in white painted brickwork with a hipped tiled roof. A garage is attached to its eastern flank. The site is adjoined by arable farmland to the south and west while there is open grassland opposite the appeal site on the north side of the road. To its east are detached houses, "Highlands" and "Whiteoaks" fronting Featherbed Lane. East of "Whiteoaks" is Highcroft Road, a cul-de-sac serving a mixture of detached houses and bungalows.
3. From my inspection of the site and its surroundings and the written representations I consider that the main issue in this appeal is whether the proposed extensions can be treated as an exception to the general presumption against development in the Metropolitan Green Belt.
4. The appeal site is located at the western end of an isolated pocket of residential development on the south side of Featherbed Lane and on both sides of Highcroft Road south of the main part of Felden. Demolition of the existing garage and its replacement by a two-storey addition would not result in the outward expansion of this collection of houses into open countryside. Consequently I am satisfied that this aspect of the proposal would not infringe the strict policies against development in the green belt.
5. I am, however, more concerned about the impact of the proposed extensions to the western flank. The western part of the garden is currently free of development and is adjoined by open agricultural land. Additions almost across the full width of the plot would, in my opinion, represent a significant enlargement of this group of houses, particularly as the gap of open land to the farm buildings at Tower Farm is narrow. Overall I consider that the western extension would

constitute creeping suburbanisation at the expense of countryside and would therefore be contrary to one of the primary objectives of green belt policy, preventing the expansion of urban settlements.

6. I accept that the design of the proposed additions blends in satisfactorily with the existing house and that the proposed works would have no significant impact on the amenities of residents of adjoining houses. I have also taken into account extensions permitted to other houses nearby but I am of the opinion that none of these involved an enlargement of a settlement unlike the situation at the appeal site. I am therefore convinced that it would be wrong to permit such a large addition to a prominently sited house in a sensitive part of the Metropolitan Green Belt.

7. In reaching my conclusions on this appeal I have taken careful account of all the matters raised in the representations but do not consider these to be of sufficient weight to alter my decision.

8. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir
Your obedient Servant

I. W. Currie

I W CURRIE BA MPhil ARICS MRTPI
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To L Atkinson Esq
The White House
Featherbed Lane
Hemel Hempstead
Herts

D Clarke Esq
47 Gravel lane
Hemel Hempstead
Herts

Two storey and single storey side extensions
.....
.....
at The White House, Featherbed Lane Hemel Hempstead
Herts
.....

Brief
description
and location
of proposed
development.

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 26.1.88 and received with sufficient particulars on 28.1.88 and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:-

- (1) The site is within the Metropolitan Green Belt on the adopted Dacorum District Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use of existing buildings for agricultural or other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. No such need has been proven and the proposed development is unacceptable in the terms of this policy.

Dated 14th day of March 19 88

Signed..... *Wm Barnard*

SEE NOTES OVERLEAF
P/D. 15

Chief Planning Officer

NOTE

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with s.36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form obtainable from the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
2. If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Borough Council in which the land is situated, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in s.169 of the Town and Country Planning Act 1971.