



## Appeal decision

site visit made on 9 August 1999

by James Wilson BA(Hons) FRTP

an Inspector appointed by the Secretary of State for the  
Environment, Transport and the Regions

Dacorum Borough Council		The Planning Inspectorate 101 Gange House Houlton Street Bristol BS2 9DB Tel 0117 957 8977	
Received	18 AUG 1999		
Comments see registers (ii) computer file.		17 AUG 1999	

### Appeal: T/APP/A1910/A/99/1023250/P8

- 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 brought by Mr P W and Mrs L E Robinson against the Dacorum Borough Council.
- The site is 'Tall Pines', Cholesbury Road, Wigginton, Tring.
- The application (No.4/00250/99/FHA), dated 14 February 1999, was refused on 22 April 1999.
- The development proposed is a two-storey side extension to the house, a single-storey side workshop on the side of that extension and a replacement double garage.

**Decision:** The appeal is dismissed.

### The Development Plan

1. The site is in a part of the Metropolitan Green Belt in which extensions to existing dwellings are not permitted unless they meet the criteria set out in Policy 20 of the adopted Dacorum Borough Local Plan. Policy 90 of the local plan sets out guidelines for the determination of planning applications in the Chilterns Area of Outstanding Natural Beauty

### The main issues

2. The main issues are whether the development proposed would detract from:
  - (a) the appearance and openness of the Metropolitan Green Belt;
  - (b) the beauty of the AONB.

### Inspector's reasons

3. The appeal site is in the countryside well outside any settlement. The dense Chiltern woodland, in full leaf at the time of my visit, hides all traces of the man-made environment other than Tall Pines itself and strengthens the impression that the site is in the depths of the countryside where any non-essential building is completely out-of-place. Moreover, even essential buildings need to be kept low, simple and restrained to reflect the isolated and entirely rural character of the surroundings.
4. Tall Pines is a recently completed house standing in a clearing in the woodland. There is no garden yet and, apart from the house itself and a rotary clothes-drier, no sign of domesticity. However, despite the natural state of its surroundings, with undergrowth reaching above the ground floor window sills, the house is visible from Cholesbury Road through the trees. Its height, fussy suburban detailing and brightly coloured walls draw attention to it. I have no doubt whatsoever that a further substantial extension and a large pitched-roof garage, in the same sort of materials and style as the house, would make it even more noticeable and thus detract very greatly from the appearance and openness of the green belt and the AONB.

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5. The extension and garage would not protect the setting of the site and the character of the countryside nor could they, in my view, properly be described as limited in size. They do not, therefore, meet the criteria of Policy 20 of the local plan. Nor would they meet the requirements of Policy 90 in respect of unobtrusiveness and sympathetic siting. I do not consider that the gain from the demolition of the existing garage, unsightly as it is, would outweigh the harm caused by the building of the extension and the replacement garage.
  6. In coming to that view I have borne in mind the background notes to Policy 23 of the draft of the first review of the local plan. The first review of the plan does not have the same weight as the adopted plan and background notes do not have the full force of a policy. Moreover, although the last sentence of those notes does not convey the council's apparent intentions with clarity, it is clear that the extension is not a very small scale one as defined elsewhere in the notes. More importantly, the notes also make clear that judgements about the appropriateness of an extension will have regard to other aspects of size in relation to the characteristics of the site and its surroundings. If the Metropolitan Green Belt and the AONB are to be protected, proposals for the extension of dwellings in such an isolated location as the appeal site must be subject to very rigorous examination.
  7. During my visit, my attention was drawn to extensions to the adjacent property 'The Cedars'. I have no information from which to draw the conclusion that the council has been inconsistent in its consideration of the two cases. Whether or not that is so, I consider that the extension and garage proposed in this case would have such a harmful impact on the openness and appearance of the green belt and the beauty of the AONB that the appeal should fail.

### Conclusions

8. The appeal site is in a wooded location in the depths of the countryside where only the most essential new buildings should be allowed. An extension and garage of the size and appearance proposed would harm the openness and appearance of the Metropolitan Green Belt and the Chilterns AONB.
9. In reaching that view, I have borne in mind the wish of the appellants to provide more space for their own family and for parents but also noted that the house is already a very substantial property. Moreover, family circumstances change over time as, of course, does the ownership of properties. It would not be sound planning to grant planning permission for such an inappropriate development on the basis of current needs. I have considered all other matters raised in representations but find nothing to be so compelling as to alter the balance of those conclusions.

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James Wilson



# PLANNING

Civic Centre Marlowes  
Hemel Hempstead  
Herts HP1 1HH

MR P W & MRS L E ROBINSON  
TALL PINES  
CHOLESBURY ROAD  
WIGGINTON TRING  
HERTS  
HP23 6JQ

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/00250/99/FHA

TALL PINES, CHOLESBURY ROAD, WIGGINTON, TRING, HERTS, HP236JQ  
TWO STOREY SIDE EXTENSION, SINGLE STOREY SIDE EXTENSION,  
REPLACEMENT DOUBLE GARAGE

Your application for full planning permission (householder) dated 14 February 1999 and received on 15 February 1999 has been **REFUSED**, for the reasons set out overleaf.

Director of Planning

Date of Decision: 22 April 1999

**REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/00250/99/FHA**

Date of Decision: 22 April 1999

1. The site is located in the Metropolitan Green Belt on the adopted Dacorum Borough Local Plan wherein there is strict control over built development. Planning permission was granted for a replacement dwelling on this site in 1995 (4/1436/94). The presently proposed extension and garage would amount to a disproportionate increase in built development on the plot, when the increase in floorspace permitted under reference 4/1436/94 is taken into account. The proposal would therefore be detrimental to the open character of this rural Green Belt area contrary to the aims of Policies 20 and 21 of the Dacorum Borough Local Plan, Policies 23 and 24 of the Dacorum Borough Local Plan 1991-2011 Deposit Draft and national advice contained in Department of the Environment Planning Policy Guidance Note 2.

2. The proposal adds a further element of built development on the site which, taken together with the substantial increase above the original dwelling, is inappropriate in and harmful to the Chilterns Area of Outstanding Natural Beauty.