



The Planning Inspectorate

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2/AM
3/03

| PLANNING DEPARTMENT | | | | | | |
|--|----------|-------------|------|------|--------|------|
| DUNSTABLE BOROUGH COUNCIL | | | | | | |
| Martin How Architectural Services 29 Brierley Close DUNSTABLE Bedfordshire LU6 3NB | | | | | Ack. | |
| OSP | T.C.P.M. | D.P. | D.C. | B.C. | Admin. | File |
| | | | | | | |
| Received | | 22 OCT 1992 | | | | |
| Comments | | | | | | |

Your Reference:
2/92
Our Reference:
T/APP/A1910/A/92/208961/P5
Date:
21 OCT 1992

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR JOHN WELCH
APPLICATION NO :- 4/0399/92

1. 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 outline planning permission for the erection of a detached house with garage on land between Longview and Chapel Lodge, Chapel Road, Flamstead. I have considered the written representations made by you, by the council and also those made by the Member of Parliament, Robert B Jones, the Flamstead Parish Council and interested persons. I inspected the site on Tuesday 22 September 1992.
2. From my inspection of the appeal site and its surroundings and from the written representations made, I am of the opinion that the main issues in this appeal are whether the proposed development would firstly, be appropriate to the Green Belt, secondly, harm the character and appearance of the area, and, if so, whether there are any special circumstances which can overcome the harm.
3. The appeal site is a trapezoidal shaped piece of open land located between existing residential development on the east side of Chapel Road towards the northern end of the village. Opposite the northern part of the site Friendless Lane runs westwards from Chapel Road to serve a line of residential development on the south side; on the north side there is large recreation ground which has a long frontage to Chapel Road.
4. The council detail the planning history of the site and adjoining land. This shows that in September 1967 planning permission was granted for eight dwellings at Morton's Yard. Appeals against the council's decision to refuse outline planning permission for two dwellings and one dwelling on the site were dismissed on 21 September 1984, ref. A/84/15668, and 26 January 1988, ref. A/87/75651, respectively.
5. The appeal site is located within the Metropolitan Green Belt. Proposals for Alterations to the Hertfordshire County Structure Plan 1986 Review, approved in 1988, were submitted to the Secretary of State in January 1991. The Dacorum District Plan, adopted in January 1984, is under review. A local inquiry into the Dacorum Borough Local Plan Deposit Draft has recently been held. Flamstead is a village identified in Policy 5 of the District Plan wherein small scale residential development will be permitted within the

designated main core provided that it is in accordance with Policy 4 and the criteria set out in the policy. Policy 4 seeks to ensure that such development is necessary for certain rural uses or fulfills a local need. The draft Local Plan has similar policies. Policy 4 seeks to restrict development in selected small villages in the Green Belt, such as Flamstead, to small-scale residential infilling. It sets out the forms of development which will be permitted and the criteria which proposals must satisfy. I have given substantial weight to these policies in accordance with the advice contained in paragraph 32 of Planning Policy Guidance Note 1.

6. Dealing with the first issue, the appeal site is located within the Metropolitan Green Belt where paragraph 12 of Planning Policy Guidance Note 2 makes clear that there is general presumption against inappropriate development. No rural or local need in line with the Structure and Local Plan policies has been claimed in this case. I do not consider that the proposal would be an acceptable form of infilling, in the sense of filling a small gap in an otherwise built-up frontage, because the site is not a small gap. There are wide strips of open land on both sides of the site, between the site boundary and the neighbouring residential properties, Longview and Chapel Lodge. I conclude that the proposal is not appropriate to the Green Belt, therefore, there is a presumption against development.

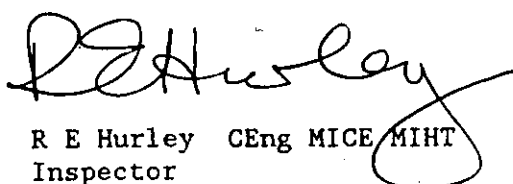
7. Turning now to the second issue, the character of the area derives partly from the line of ribbon development to the north of the site and the more dense development towards the centre of the village to the south of the site round High Street and Trowley Hill Road. An important feature in the area is the open area formed by the site and the adjoining strips of land which complement the large sports ground opposite. The proposed house and garage with their associated hard areas would diminish this open space substantially. I conclude that the proposal would be a small, but unacceptable sprawl of the built-up area of Flamstead contrary to the aims and objectives of Green Belt policies.

8. With regard to the third issue, the appeal site is located within the Green Belt where paragraph 13 of Planning Policy Guidance Note 2 makes clear that approval should not be given, except in very special circumstances, for the construction of new buildings other than for certain rural uses. You state that the appeal site cannot be sensibly used for anything apart from providing an additional dwelling. I consider that the site could be used to serve a number of useful purposes in line with the aims and objectives of council's Green Belt policies, such as the provision of local facilities to meet the needs of the village. I conclude that there are not the special circumstances in this case to overcome the harm which I find that the proposal would cause.

9. I have taken account of all the other matters in the representations including the support expressed for the proposal by the Member of Parliament, the Parish Council and many local residents, but I am of the opinion that they do not outweigh the considerations that have led me to my decision.

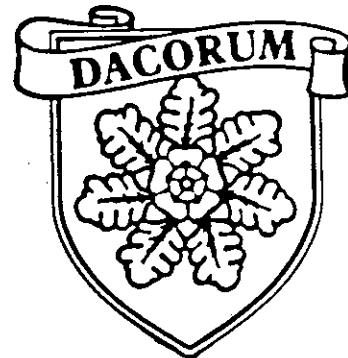
10. For the above reasons, and in exercise of the powers transferred to me I hereby dismiss this appeal.

I am Sir
Your obedient Servant


R E Hurley CEng MICE MIHT
Inspector

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL



Application Ref No. 4/0399/92

Mr John F Welch
Hazelmere
Keysoe Road
East Keysoe
Bedford

Martin How Architect Servs
29 Brierley Close
Dunstable
Beds
LU6 3NB

DEVELOPMENT ADDRESS AND DESCRIPTION
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Land Between "Longview" and "Chapel Lodge", Chapel Road, Flamstead

DETACHED HOUSE AND GARAGE (OUTLINE)

Your application for *outline planning permission* dated 14.03.1992 and received on 02.04.1992 has been **REFUSED**, for the reasons set out on the attached sheet(s).

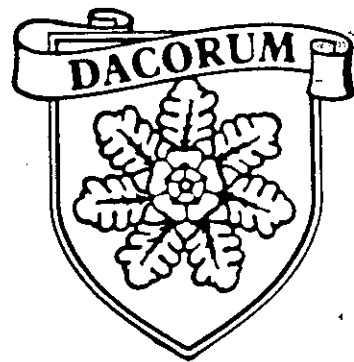
Director of Planning

Date of Decision: 14.05.1992

(ENC Reasons and Notes)

REASONS FOR REFUSAL
OF APPLICATION: 4/0399/92

Date of Decision: 14.05.1992



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.
2. Policies 4 and 5 of the adopted District Plan and Policy 4 of the Dacorum Borough Local Plan Deposit Draft seek to restrict development in certain villages, including Flamstead within the Green Belt to that which is an essential use appropriate to a rural area or for a special local need. The proposed development has not been justified in terms of these policies.