

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972



## DACORUM BOROUGH COUNCIL

To Mr M Gilbert CGB Partnership  
 Priory End The Dower House  
 Alderton Drive 108 High Street  
 Little Gaddesden Berkhamsted  
 Herts Herts

..... Single storey side extension, attached Double Garage  
 ..... and Front Porch.  
 .....  
 at ..... Priory End  
 .....  
 .... Alderton Drive, Little Gaddesden, 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 ..... 16.3.88..... and received with sufficient particulars on ..... 14.3.88..... 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 a rural area beyond the 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. The adopted Dacorum District Plan shows the site to be within the Chilterns Area of Outstanding Natural Beauty wherein the local planning authority seeks to preserve the appearance of the area, encourage agriculture and conserve wildlife by the restriction of further development having particular regard to the siting design and external appearance of buildings. The proposed development by reason of its bulk and resultant elongation of the original dwelling is unacceptable in the terms of this policy.

Dated .... SECOND ..... day of ..... JUNE ..... 19 88

Signed.....  .....

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.

22 JUN 1988

**4/0465/88. SINGLE STOREY FRONT AND SIDE EXTENSIONS.  
"PRIORY END", ALDERTON DRIVE, LITTLE GADDESSEN.  
APPLICANT: MR H GILBERT**

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DESCRIPTION - This extended property is one of a number of substantial detached houses in Alderton Drive, a private road leading off the B.4506 Ringshall to Berkhamsted Road. The house is located at the head of the cul-de-sac and occupies a very large plot. There are other large dwellings to the west and south of the application site, and land to the north and east is open countryside. Although in a relatively secluded location a public footpath (No. 3) passes to the west of the site, from which the rear of the house is quite prominent.

The proposal involves the erection of a very large garage, some 49 sq m (527 sq ft) in floor area and 7 m (23 ft) in height. This is to be connected to the north end elevation of the house by a linking corridor and out-house extension containing boiler room and storage facilities. Additionally, a large front porch with balustrade above is proposed, creating a total increase in floorspace of 88 sq m (947 sq ft).

#### POLICIES

##### **Hertfordshire County Structure Plan**

Policies 15 and 21

##### **Dacorum District Plan**

Chilterns Area of Outstanding Natural Beauty; Rural Area beyond the Green Belt; Policies 2, 4, 18, 19, 23 and 66

#### REPRESENTATIONS

##### **Little Gaddesden Parish Council**

No objection

CONSIDERATIONS - The application site is located within a rural area beyond the Metropolitan Green Belt and in the Chilterns Area of Outstanding Natural Beauty. In this area there is a presumption against new development, in accordance with Policy 2 of the District Plan, unless special circumstances are established. Adopted guidelines regarding extensions to properties in rural locations are also applicable in the locality.

This property has an outstanding planning permission, granted in May 1987, for two-storey side and single-storey rear extensions of 80 sq m (86 sq ft). The original dwelling was some 177 sq m (1905 sq ft) and has had a subsequent two-storey side extension of 69 sq m (743 sq ft). The extensions guidelines have already been exceeded by a considerable amount for this property with 31% recommended and increases to date of 84%. This application proposes a further 50% addition, and if allowed could seriously undermine the validity of the rural extensions guideline.

Although the garage is excluded from the floorspace calculations in the guideline it must be considered that it would be readily convertible to habitable accommodation using permitted development rights; additionally, the height of the garage is such that it would not be impractical to insert another floor using the same rights. Such conversions could be resisted by condition, although the reasonableness and validity of this approach is questionable.

Furthermore, the siting of the garage and store on the end of the existing dwelling will add considerably to the mass and bulk of the building. Bearing in mind the prominence, siting and design of the proposed extension, when viewed from the nearby public footpath, it would be contrary to policy towards new development within the Area of Outstanding Natural Beauty, and as such I feel that this proposal should be resisted.

✓ RECOMMENDATION -That planning permission be REFUSED (on form DC4) for the following reasons:

1. The site is within a rural area beyond the 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. The adopted Dacorum District Plan shows the site to be within the Chilterns Area of Outstanding Natural Beauty wherein the policy of the local planning authority seeks to preserve the appearance of the area, encourage agriculture and conserve wildlife by the restriction of further development having particular regard to the siting, design and external appearance of buildings. The proposed development by reason of its bulk and resultant elongation of the original dwelling is unacceptable in the terms of this policy.

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