



Appeal Decision

Site Visit made on 11 April 2000

The Planning Inspectorate
Room 1404
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by **Brian Partridge LL.B., solicitor**

DoP	FILE
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Date

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

03 MAY 2000

Comments

Appeal Ref: APP/A1910/A/00/1036777/P6

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of permission.
- The appeal is brought by Mr & Mrs I Jackson against the Dacorum Borough Council.
- The site is located at The Beeches, Chesham Road, Berkhamsted.
- The application, ref. 4/01073/99/FHA, dated 5 June 1999, was refused on 29 July 1999.
- The development proposed is a single storey front extension.

Summary of Decision: the appeal is dismissed.

THE ISSUES

1. The appeal property lies in the Metropolitan Green Belt. I take the view that the main issues here are whether the proposal is development appropriate to the Green Belt (hereafter "GB"), and if not whether there are any very special circumstances which would justify making an exception to GB policy.

RELEVANT POLICY AT NATIONAL AND COUNTY LEVEL

2. National GB policy, set out in PPG2, is to provide a presumption against inappropriate development, which generally excludes housing. However limited extensions to existing dwellings are not inappropriate provided they do not result in disproportionate additions over and above the size of the original building. At local level the approved Hertfordshire Structure Plan confines its development control policy to that provided in PPG2.

POLICY AT BOROUGH LEVEL

3. More detailed control is provided in the Dacorum Borough Local Plan, adopted in 1995, whose policy 20 prohibits the extension of dwellings unless (among other factors) it is limited in size. This criterion is judged according to the appropriate degree of restraint in the GB or the Rural Area, the location (tighter control being exercised at isolated locations in the countryside than in residential areas), and the amount the building has already been extended.
4. In the Deposit Draft of the First Review of the Local Plan the relevant policy is similarly worded, but goes on to provide that any extension which is disproportionately large in relation to the existing dwelling will not be permitted. It sets out as background that in the GB only very small

scale extensions, up to 30% of the original dwelling will be permitted, the original dwelling being defined as it was built or as it existed in July 1947, whichever is later. The Draft Local Plan is part way through its progress, the Public Inquiry having been due to start on 28 March 2000, but I give it due weight as a material consideration, bearing in mind that no objection has been raised to the re-drafted policy, and no pre-Inquiry changes have been suggested.

THE SITE CIRCUMSTANCES RELEVANT TO THE APPLICATION OF POLICY

5. This property is in an isolated position, separated from Berkhamsted by the new A41 where it bypasses that town, and there are very few other buildings in the vicinity. It was built as a replacement bungalow permitted in 1970. At that time the new dwelling was described as being 111.48 sq m in area. It was extended by permission granted in 1993, when the existing garage was converted into living accommodation and a new double garage built. The new garage extension was described in the application form as being 30.25 sq m in area, with the then existing dwelling given as 146 sq m. The dwelling's original area is however taken by the council to be 111.48 sq m, and this is not disputed by the appellants. On this basis extensions totalling 64.77 sq m, being 58% over the original, have therefore already been erected, and the present extension would add 32.68 sq m, another 29% over the original. Even assuming, on a basis more favourable to the appellant, that the original dwelling was 146 sq m in area, extensions of 30.25 and 32.68 sq m would add 43% to the original area.
6. Bearing in mind the strict control over development in the GB, the tighter restriction provided by the local plan on isolated proposals in the countryside, and the scale of the cumulative enlargement of this dwelling which has already occurred, I am clear that this scheme would be in breach of GB policy, and would in national and local terms be inappropriate GB development.

ANY SPECIAL CIRCUMSTANCES

7. I have considered the fact that the site is distant from other development, the proximity of major roads, the spaciousness of the plot, the carefully planned appearance of the extension, and that it is only intended for improved family accommodation. The extension would fit on to the end of the existing bungalow without being conspicuous. It would however be seen from the road, and the additional building works would to that extent constitute visual harm to the GB.
8. None of these considerations, nor any other raised, is in my judgement a very special circumstance justifying inappropriate development in the GB, or indicating a determination otherwise than in accord with policy.

Formal Decision

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


Inspector



PLANNING

Civic Centre Marlowes
Hemel Hempstead
Herts HP1 1HH

PATRICK CASSIDY
203 TOMS LANE
KINGS LANGLEY
HERTS
WD4 8PA

MR & MRS I JACKSON
THE BEECHES
CHESHAM ROAD
BERKHAMSTED
HERTS
HP4 2SZ

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/01073/99/FHA

THE BEECHES, CHESHAM ROAD, BERKHAMSTED, HERTS, HP4 2SZ
SINGLE STOREY FRONT EXTENSION

Your application for full planning permission (householder) dated 05 June 1999 and received on 10 June 1999 has been **REFUSED**, for the reasons set out overleaf.

Director of Planning

Date of Decision: 29 July 1999

REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/01073/99/FHA

Date of Decision: 29 July 1999

1. The site is within the Metropolitan Green Belt on the adopted Dacorum Borough Local Plan and the Dacorum Borough Local Plan 1991 - 2011 Deposit Draft wherein there is strict control over the extension and alteration of existing dwellinghouses. The proposed extension, when considered cumulatively with the previous increase in size over the original property, is excessive in this location, would be detrimental to the setting of the dwellinghouse within the Green Belt and would amount to a further disproportionate addition over the size of the original building. The proposal is therefore contrary to Policy 20 of the adopted Dacorum Borough Local Plan, Policy 21 of the Dacorum Borough Local Plan 1991 - 2011 Deposit Draft and national guidance contained in Planning Policy Guidance Note 2: Green Belts.



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