



The Planning Inspectorate

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Mr M J & Mrs C P Colling
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Hastoe
Nr TRING
Hertfordshire
HP23 6PE

Your Ref:	
Our Ref: T/APP/A1910/A/98/292776/P8	
Received	- 8 JUL 1998
Comments	Date: - 7 JUL 1998

Dear Sir and Madam

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6 APPLICATION NO: 4/01090/97/FHA

1. I have been appointed by the Secretary of State for the Environment, Transport and the Regions to determine your appeal against the decision of the Dacorum Borough Council to refuse planning permission in respect of an application for a two-storey side extension, single-storey side and front extensions and alterations at Keeper's Cottage, Kiln Road, Hastoe. I have considered the written representations made by you and by the Council. I have also considered the representations made by Tring Town Council which were made directly to the Council and which have been forwarded to me. I inspected the site on 9 June 1998.

2. I note from the Council's Written Statement that, following the refusal of the above application, the Council has granted planning permission in respect of the single-storey side and front extensions and alterations, (No 4/1790/97). The only matter before me, therefore, relates to the application for a two-storey side extension and I propose to consider the appeal on this basis.

3. The appeal site is situated in the Metropolitan Green Belt as defined in the development plan for the area which consists of the Hertfordshire County Structure Plan Review, (Incorporating Approved Alterations) 1991, and the Dacorum Borough Local Plan 1995. It is also in the Chilterns Area of Outstanding Natural Beauty. From my inspection of the site and its surroundings and from the representations made, I consider the main issue in this appeal to be whether the proposal amounts to inappropriate development in the Green Belt, and, if so, whether there are any very special circumstances sufficient to overcome the presumption against such development.

4. Section 54A of the Town and Country Planning Act 1990 requires that an appeal be determined in accordance with the development plan unless material considerations indicate otherwise. I consider that the following policies are relevant to my consideration of this appeal. Policy 1 of the Structure Plan makes provision for the maintenance of a Green Belt in the south of the county and indicates that, except in identified settlements or in very



special circumstances, permission will not be given for development other than for a number of limited purposes which do not include extensions. Policy 3 of the Local Plan carries forward the above approach.

5. Detailed criteria in respect of house extensions are set out in Policy 20 of the Local Plan. This indicates that, outside the selected small villages in the Green Belt and in the rural area, the extension of existing dwellings will not be permitted unless they meet a number of criteria. These include that the extension is compact, well designed, not visually intrusive and, at (e), that it is limited in size. Criterion (e) will be judged according to; (i) the appropriate degree of restraint in the Green Belt; (ii), the location of the building, control over size will be tightly applied at isolated locations in the countryside; (iii), the amount which the building has already been extended, in particular the enlargement of the original dwelling must not amount to the creation of a new dwelling on the site.

6. The Council has also drawn my attention to the deposit draft of the Hertfordshire County Structure Plan Review 1991-2011 and the Proposed Modifications. Draft Policy 4 provides, among other matters, that in the Green Belt there is a presumption against inappropriate development and permission will not be given, except in very special circumstances for purposes other than those detailed in Planning Policy Guidance (PPG) 2, the government's advice on Green Belts. I have given this emerging policy careful consideration and weight in accordance with the advice set out in paragraph 48 of PPG 1, General Policy and Principles.

7. Turning to the main issue, the appeal property is situated in an area of wooded countryside in a relatively isolated position. The property is a two-storey detached house with a double garage and a covered swimming pool at the rear. The proposal involves a two-storey extension to the side of the property to provide extra living accommodation. The original building had a floorspace of some 171 square metres and the property has been subsequently extended with a two-storey addition, a double garage and playroom and an enclosure to house the swimming pool. These extensions together with the extensions recently approved have added some 280 square metres to the floorspace of the property and the proposal would add approximately a further 90 square metres.

8. I agree with your view that the scheme would not amount to a new dwelling. However, bearing in mind the scale of the previous extensions and the property's isolated rural location in the Green Belt where controls over size are to be tightly applied, the proposal would not be consistent with (e) (i), (ii) and (iii) of Policy 20 of the Local Plan and, accordingly, it would not be limited in size and in accordance with criterion (e) of the Policy. Further, in view of the scale of the increase proposed, it would represent a disproportionate addition to the original building and, as Paragraph 3.6 of PPG2 indicates that in the Green Belt such additions are inappropriate development, I consider that the proposal would be inappropriate development in the Green Belt. Such development should not be approved except in very special circumstances.

9. Inappropriate development is by definition harmful to the Green Belt. In addition to this, the proposal would significantly add to the bulk of the property and this would result in some loss to the openness of the Green Belt. Paragraph 1.4 of PPG2 indicates that the most important attribute of Green Belts is their openness and the proposal would, therefore,

result in specific harm to the Green Belt at this point. You argue that the property is set back some 40 metres from the road, that it is surrounded by woodland and can only be seen when directly viewed from the road. However, the fact that the proposed extension would not be visible from the surrounding countryside is not a convincing argument as it could be used too often to the detriment of policies to protect the Green Belt.

10. You also make the point that the proposal is well designed, in keeping with the existing building and that the extra accommodation is needed to meet the needs of a growing family and your particular requirement for live-in help. I have given careful consideration to these arguments, and as you know examined the existing accommodation in the property. However, given the importance which the government attaches to Green Belts I do not consider that the arguments you have advanced have sufficient force to outweigh the serious harm to the Green Belt which would be caused by the proposal. Accordingly, very special circumstances do not exist sufficient to justify inappropriate development in the Green Belt.

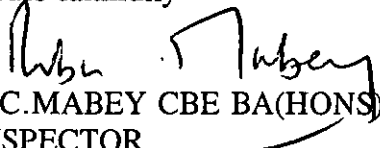
11. As the proposal would not be for one of the limited purposes for development in the Green Belt, it would be inconsistent with Policy 1 of the Structure Plan and Policy 3 of the Local Plan. Although the proposal would be consistent with some parts of Policy 20 of the Local Plan, in view of the scale of the proposal and the fact that the dwelling has already been substantially extended the proposal would be inconsistent with criterion (e). For the same reason it would also be inconsistent with paragraph 3.6 of PPG2 and with draft Policy 4 of the Structure Plan Review. I conclude on the main issue, therefore, that the proposal amounts to inappropriate development in the Green Belt and there are no very special circumstances sufficient to overcome the presumption against such development.

12. I examined the other properties in Kiln Lane which you drew to my attention and considered your view that the proposed development would not be out of keeping with these properties. However, I concluded that the examples only served to emphasise the cumulative impact of the loss of openness of the Green Belt which would be caused by the development you wish to undertake. In any event, I have considered the proposal on its own individual merits, having regard to the specific details of the scheme and the individual relationship of this site to its surroundings.

13. I have taken account of all the other matters raised, including your views on the appeal decisions which the Council referred to me. I have also noted your comments about the administrative handling of this matter by the Council. However, this is not relevant to my consideration of the appeal which is limited to the planning merits of the proposal. None of the matters raised is of such importance as to outweigh the considerations leading to my conclusions.

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

Yours faithfully



R.C. MABEY CBE BA(HONS) DipTP MRTPI
INSPECTOR



PLANNING

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OTM ARCHITECTURAL
PITCHERS BARN
DENHAM FARM WHEELER END
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Applicant:
MR & MRS M COLLING
KEEPERS COTTAGE
KILN ROAD HASTOE
TRING
HERTS
HP23 6PE

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/01090/97/FHA

KEEPERS COTTAGE, KILN ROAD, HASTOE, TRING, HERTS, HP236PE
TWO STOREY SIDE TO REAR EXTENSION, SINGLE STOREY SIDE AND FRONT
EXTENSIONS AND ALTERATIONS

Your application for full planning permission (householder) dated 7 July 1997 and received on 7 July 1997 has been **REFUSED**, for the reasons set out overleaf.

Director of Planning

Date of Decision: 4 September 1997

REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/01090/97/FHA

Date of Decision: 4 September 1997

The site is within the Metropolitan Green Belt on the adopted Dacorum Borough Local Plan wherein there is strict control over the extension and alteration of existing dwellinghouses. The proposed extensions are excessive and unwarranted in this location, would be detrimental to the character of the area and 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. Therefore, the proposal is contrary to Policy 20 of the Dacorum Borough Local Plan and national advice contained in Department of the Environment Planning Policy Guidance Note 2: Green Belt.