

DACORUM BOROUGH COUNCIL

To

Mr. P. Nunn,
'High Beeches'
Hudnall Common,
Little Gaddesden

Mr. D. Clarke,
47 Gravel Lane,
Hemel Hempstead

..... Two storey side and single storey rear
..... extensions
at High Beeches, Hudnall Common, Little Gaddesden

Brief
description
and location
of proposed
development.

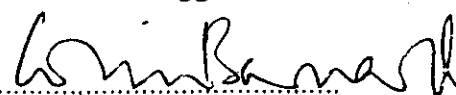
In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 13th September 1985 and received with sufficient particulars on 17th September 1985 and shown on the plan(s) accompanying such application..

The reasons for the Council's decision to refuse permission for the development are:—

The site is within a rural area beyond the Metropolitan Green Belt and is in the Chilterns Area of Outstanding Natural Beauty where development will only be permitted for essential purposes appropriate to a rural area. No such need has been proven and the proposed extensions by virtue of their size are unacceptable in the terms of these policies.

Dated 31st day of October 19 85 ..

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.



Department of the Environment and Department of Transport

Common Services

Room 14/17 Tollgate House Houlton Street Bristol BS2 9DQ

Telex 449321

17875

PLANNING DEPARTMENT DACORUM DISTRICT COUNCIL					
Ref.				Ack.	
C.P.O.	D.P.	D.C.	B.C.	Admin.	File
22 SEP 1986					
Direct line 0272-218 927					
Switchboard 0272-218811					
GTN 2074					

Mr D Clarke
47 Gravel Lane
Boxmoor
HEMEL HEMSTEAD
Hertfordshire
HP1 1SA

**CHIEF EXECUTIVE
OFFICER**

19 SEP 1986

File Ref.

Refer to CPO

Closed

Your reference

Our reference

T/APP/A1910/A/86/47404/P4

Date

17 September 1986

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR P NUNN
APPLICATION NO: 4/1202/85

1. As you are aware 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 planning permission for a 2-storey and single-storey extensions to High Beeches, Hudnall Common, Little Gaddesden, Herts. I have considered the written representations made by you, by the council, by the Little Gaddesden Parish Council and by interested persons. I visited the site on Tuesday 5 August 1986.

2. From my visit and from the representations made, I consider the main issue to be decided is whether the proposed development would be harmful to the character of the area where adopted policies restrict development within the rural areas beyond the Metropolitan Green Belt and defined as being of Outstanding Natural Beauty and if so, whether there is justification for making an exception in this instance.

3. The appeal site, a 2-storey house and outbuildings lying within a large garden, is located on the north-east side of a narrow track which lead south-eastwards from Hudnall. The property, one of a number of dwellings in very extensive gardens fronting this roadway, is well screened and lies in an area which is predominantly rural and well wooded.

4. In support of this appeal it is argued that the dwelling after the proposed extension, would be a moderately sized house, in keeping with neighbouring properties in Hudnall Lane. The dwelling is within a large garden you say and enlargement to provide for family needs, would not be visible from either neighbouring properties or the lane. In your view the additional accommodation proposed would result in a family house of a type needed to support local schools and village life.

5. The council state that the appeal site lies in the rural area beyond the Metropolitan Green Belt where policies of the Dacorum District Plan places severe restraint on new development. It is further indicated that the site lies in the Chiltern Area of Outstanding Natural Beauty where adopted policies aim to preserve the landscape and ensure that only essential development is permitted. In this case the authority point out that your client's proposal would result in a cumulative increase in floorspace of the dwelling, well in excess of that

considered within their adopted guidelines to be reasonable in an area which is subject to restrictive planning policies. It is also felt that the proposed 2-storey extension would become the dominant structure and could not be regarded as a minor extension to the existing house in an area where the preservation of the rural character is of great importance.

6. As a result of my visit I am satisfied that the appeal site, together with the loose scatter of dwellings with frontage to Hudnall Common, lies in mainly rural surroundings well outside any established settlement. I can therefore see no reason why your client's application should not be judged within policies of the Dacorum District Plan which places restraint on new development in the rural areas beyond the Metropolitan Green Belt. These policies are designed to prevent the further erosion of the countryside by increased building and residential occupation which is unrelated to agriculture, forestry or the like. There is merit in these objectives which should be supported but to be successful in my opinion, these aims have to be equally taken into account when considering applications for extensions to otherwise satisfactory accommodation which would offer potential for an increase in the residential activities in the area. The appeal site also lies within the Chiltern Area of Outstanding Natural Beauty where it is of even greater importance to resist development likely to be harmful to the character of the landscape.

7. In this case the existing house has 3 bedrooms and it is not suggested that there is either a deficiency of basic living amenities or that the dwelling is other than satisfactory for family occupation. This proposal, effectively doubling the size of the original house, would provide a living room and play-room on the ground floor with 2 additional bedrooms above as well as significantly increasing the size of the existing dining room. An extension of the dimensions proposed would clearly represent a very considerable addition to the available living space within the dwelling, with capacity for extra occupation and potential for attracting further residential activities on and around the site, to the detriment of this otherwise pleasant and quiet part of the countryside. Although not readily seen, except from the roadway, I also believe that the large extension proposed would undesirably add to the mass of the building and further urbanise the appearance of the site, contrary to the aims of rural area restrictive policies. I have concluded in consequence that, even without the limitations contained within the council's guidelines for extensions to dwellings in the rural area and notwithstanding the size of garden, this proposal goes well beyond that which could be regarded as being reasonable in the countryside.

8. Whilst I can understand your client's family reason for wishing to increase the living area in his house, this situation is not in my view exceptional. There must be many living in rural surroundings who for similar reasons, would like to extend their properties. However to accept such an argument would result in the gradual enlargement of existing dwellings outside towns and a threat to the value of the remaining countryside which proper and consistent application of rural planning policies should seek to prevent.

9. In my opinion there is serious planning objection to your client's proposal which outweighs the normal presumption in favour of development and no agricultural or other special need has been advanced which would justify making an exception in this instance. Although I am not aware of the circumstances concerned with other development which you say has been allowed at nearby properties, I nevertheless do not see that this provides any valid reason for deciding this appeal on other than its own individual merit.

10. I have taken account of all the other matters raised, including the character of development in the vicinity, but they are not of sufficient weight to alter my decision.

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

I am Sir
Your obedient Servant

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G S WEBB CEng MICE
Inspector



Department of the Environment and
Department of Transport

Common Services

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22 SEP 86

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