



The Planning Inspectorate

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11 FEB 1999
Comments

Your Ref: 9896
Our Ref: T/APP/A1910/A/98/1012875/P7

Date: 09 FEB 1999

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR RONALD NEW
APPLICATION NO: 4/01478/98/FHA**

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your client's appeal against the decision of the Dacorum Borough Council to refuse planning permission for a single storey annex and link block at Stable House, Chipperfield Road, Bovington. I have considered all the written representations together with all other material submitted to me. I inspected the site on 25 January 1999.
2. Your client's premises lie within the Metropolitan Green Belt (MGB). The broad thrust of both national and local policy for the Green Belt is that it be kept open and free from development. The development plan, which comprises the Hertfordshire Structure Plan Review 1991-2011 (HSP) and the Dacorum Borough Local Plan 1995 (DBLP), at policies 5 and 3 respectively, take forward the general presumption against inappropriate development in the Green Belt. I note that in particular the HSP defines inappropriate development as that detailed in Planning Policy Guidance - Green Belts (PPG2). The DBLP builds upon this guidance at policy 20 and sets out a criteria based approach to dealing with proposals for extensions. It is against the criteria at policy 20 that the Council have judged your client's proposal.
3. I note that the Council are in the process of reviewing the DBLP and the revised plan for the period to 2011 has recently been on deposit. This plan essentially takes forward the approach to the extension of dwellings established in policy 20 of the DBLP, but does offer some guidance on the definition of very small scale as used in policy 3 of the DBLP. However, the weight to be given to the deposit draft must have regard to its limited progress in the statutory steps towards adoption.
4. Having regard to the above background and from what I saw during my inspection of the appeal premises and their surroundings, and my reading of the written representation, I consider the main issues in this case to be twofold. Firstly whether the proposal comprises development appropriate to the Green Belt having regard to the provisions of the development plan and PPG2. Secondly, if not, whether there are any very special



circumstances which justify setting aside the general presumption against inappropriate development in such areas.

5. It is the Council's view, as established in their reason for refusal of planning permission, that your client's proposal is inappropriate development because it represents a disproportionate addition over and above the size of original dwelling. This is the test set out at para. 3.6 of PPG2 and as is made clear development plans should make clear the approach which local planning authorities will take in judging such matters. In this case the Council relies upon policy 20 of the DBLP, and I consider the proposal against the criteria set out there.

6. Part (a) of policy 20 requires extensions to be well related to the existing building. While I have no doubt that any permission here could be controlled to ensure that the design and materials of the extension would be appropriate having regard to the buildings around, it seems to me that it would represent a substantial increase in the built footprint of the present house and add considerably to the bulk of building on the appeal site. Furthermore, I consider the extension would appear very much as a detached part of the property connected to it only by a largely glazed conservatory link. While it would sit behind and adjoin the present garage block in no sense do I consider it would be well-related or largely integral to the existing house.

7. As to part (b) the extension has regard to the size and shape of the site and in my view retains sufficient space about it so as to not seriously affect its setting. Nevertheless, notwithstanding that the appeal site forms part of a small enclave of development comprising Lodge House, Bovington House and Bovington Lodge, it would result in additional development in the Green Belt which could only further erode its openness. Part (c) requires extensions not to be visually intrusive. I take your point that the high wall around your client's property would result in little of the extension being visible, especially in more immediate views. However the extension is shown to have a pitched roof which measures, from the drawings, about 6.5 m to the ridge. This would be a little over 1 m above the eaves on the main house. In more long distance views, in particular when approaching from Bovington and through the entrance gates, the building would be noticeable. I am not satisfied that in these circumstances the proposal could be properly described as visually intrusive but nevertheless that additional development had taken place would be readily apparent. In respect of part (d) there would be no loss of significant trees.

8. I now turn to part (e) of policy 20 which requires extensions to be limited in size. There seems some dispute between yourself and the Council about the floor area of the existing dwelling. You put it at 249 sqm while the Council suggests 208 sqm. There is agreement that the extension permitted in 1991 and as built has a floor area of 30 sqm and that the proposed extension would have an area of 129 sqm. On my reckoning these figures would give a proportional increase on the original building of 63.8% and 76.5% respectively. Even allowing for that part of the extension which is shown as garden store the increase would be 51%. I note what you say about taking into account the garage block but this is not part of the original dwelling. As to the store this is an integral part of the proposal and would for all intents and purposes form a physical part of the extended dwelling. On this basis I believe it is right that it be brought into the reckoning but on whatever basis the calculation is done the result is significantly in excess of the definition of "very small scale" which the 1998 deposit draft of the DBLP puts at 30%.

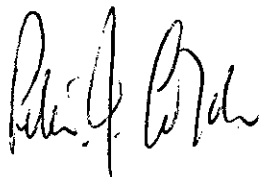
9. Having considered the proposal against the criteria in policy 20 of the DBLP and having had regard to the form of the proposed extension, the substantial increase in the built footprint and the proportional changes in floorspace which would result, I have concluded that your client's proposal would amount to inappropriate development in the Green Belt. As PPG2 clearly states inappropriate development is, by definition, harmful to the Green Belt. Very special circumstances to justify such development require other considerations surrounding the proposal to clearly outweigh that harm and I turn to that matter now.

10. As I have concluded in my examination of the proposal against the criteria in policy 20, the extension would further erode the openness of the Green Belt but because of the enclosed nature your client's property I agree that any harm visually to the character and appearance of the area or to the purposes of the Green Belt would be marginal. I also note that the additional accommodation is required for aged relatives, although no evidence is adduced as to the strength of this need or that alternative means of meeting this requirement have been vigorously investigated. Nevertheless I can see that would it amount to a beneficial amenity for your client and his family. You also draw my attention to other properties in the vicinity which have recently been extended. I took the opportunity to view those you mention in your representations and agree with you that in some cases the extensions appear to be large. However, I am not aware of the specific and detailed circumstances which have led to these schemes being approved or to satisfy me that they are on all fours with that of your client. I have considered your client's proposal on its own particular merits and against the extant provisions of the development plan.

11. In my view none of the matters which I have just considered amount to considerations which clearly outweigh the harm by reason of inappropriateness which I consider would arise from your client's proposal. In reaching that view I have taken account of all of the other matters raised in the representations, including what you say about offering an agreement to prevent the sub-division of the property. In my view this is a matter which has little bearing upon the more fundamental considerations in this case, and neither this nor any other matter raised persuades me that this appeal should not be dismissed in accordance with national and local policy relating to development in the Green Belt.

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

Yours faithfully



Peter J Golder DipTP MRTPI
Inspector



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Applicant:

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TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/01478/98/FHA

**STABLE HOUSE, CHIPPERFIELD ROAD, BOVINGDON, HEMEL HEMPSTEAD,
HERTS, HP3 0JR
SINGLE STOREY ANNEX AND LINK BLOCK**

Your application for full planning permission (householder) dated 20 August 1998 and received on 21 August 1998 has been **REFUSED**, for the reasons set out overleaf.

Director of Planning

Date of Decision: 07 October 1998

REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/01478/98/FHA

Date of Decision: 07 October 1998

1. The application site is located in the Metropolitan Green Belt wherein there is strict control over the extension and alteration of existing dwellinghouses. The proposed extension (taking account of previous additions) would amount to a disproportionate addition over the size of the original dwellinghouse and would constitute inappropriate development in a Green Belt area. For the above reasons, 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 Belts.