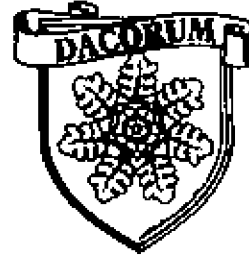


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

DD

To Mr A Rickett
Bobsleigh Inn
Hempstead Road
Bovingdon
Herts

....Two Storey Side Extension to Form Additional.....
....Living Accommodation.....
at..Bobsleigh Inn, Hempstead Road, Bovingdon, 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 dated12.9.88..... and received with sufficient particulars on16.9.88..... 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 the Metropolitan Green Belt on the adopted Dacorum District Plan wherein permission will only be given for use on 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 proposed extension, due to its proximity to the boundary, would adversely affect the visual and general amenities of the adjacent property and the area as a whole.
- (3) No provision for additional car parking has been made within the site.

DatedFifteenth..... day of ..December..... 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.



Planning Inspectorate

Department of the Environment

Room¹⁴⁰⁴ Tollgate House Houlton Street Bristol BS2 9DJ

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30401

CHIEF EXECUTIVE
OFFICE

4 AUG 1989

File no.
Refer to *CP 0 4/8*
Cleared

David Clarke
47 Gravel Lane
Boxmoor
HEMEL HEMPSTEAD
Herts
HP1 1SA

Your reference			
8918			
Our reference			
T/APP/A1910/A/89/117591/P4A			
Date	IO.	Admin.	File
- 2 AUG 89			
Received - 4 AUG 1989			
Comments <i>JBN</i> <i>2/eb.</i>			

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR A RICKETT
APPLICATION NO: 4/1746/88

- As you know I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the Dacorum Borough Council to refuse planning permission for a 2-storey side extension to form additional living accommodation at The Bobsleigh Inn, Hempstead Road, Bovington, Herts. I have considered the written representations made by you, the Council, and those made by the Parish Council to the original application and those of interested persons to both the original application and this appeal. I inspected the site on 6 July 1989.
- The appeal site is a large detached public house and restaurant with staff and guest accommodation, sited on the south-west side of the B4505. The site is in a rural location outside the built-up area of Bovington within the Metropolitan Green Belt. There is a car parking area adjacent to the road, with a caravan park to the side and rear of it. Highcroft is a large detached dwelling situated in its own large gardens close to the common boundary with the Bobsleigh Inn.
- At present there is an area of hardstanding with a plastic corrugated roof covering between the north-eastern facade of the Inn and the common fence boundary with Highcroft. There are a number of trees standing just within the adjacent garden of Highcroft, with branches overhanging the Inn's hardstanding area. The proposal is to construct a 2-storey extension with living accommodation above (ie a bedroom, office/study, bathroom, sitting room) and enclosed parking for 3 cars in tandem below. The property has been considerably extended with new staff and guest bedrooms and a lounge extension. I saw on my visit that the rear curtilage has been extended since the date of the application and now includes an additional single storey building on the boundary with Highcroft.
- From my reading of the representations and from my inspection of the site and its surroundings, I consider the main issue in this appeal is whether the proposal has sufficient justification to outweigh the policy objections to inappropriate development within the Green Belt, taking into account the effect of the proposal upon the appearance of the area, the amenity of neighbouring residents and road safety.
- The site is within the Metropolitan Green Belt as defined in the Hertfordshire County Structure Plan 1986 Review and the Adopted Dacorum District Plan. Policy 1 of the latter is that planning permission will not be granted, except in very special circumstances, for development unless the Council is satisfied that the proposal is for the purposes of agriculture or forestry, leisure purposes

appropriate to the area and which cannot reasonably be located within urban areas; or other uses appropriate to the Metropolitan Green Belt. Policy 18 sets out planning criteria to be considered in dealing with applications, whilst Policy 19 refers to car parking standards.

6. I consider the proposal is contrary to normal Green Belt policy in that it does not fall within one of the categories of development referred to above. However, it is clear that the Council have seen fit in the past to allow development in this location, presumably as an exception to normal Green Belt policy, given that this is an existing and already well-established use. Therefore, I have considered whether it would be appropriate to make an exception in this case.

7. The general area has a rural character, although there is a nearby caravan park and large detached dwellings in large gardens opposite. The property is an attractive and interesting building and, in my opinion, if viewed in isolation from its surroundings, the extension has been carefully designed in keeping with the existing building. However the building already has a considerable bulk and prominence on this road frontage side and the extension would add not insignificantly to the visible building mass, albeit in an attractive manner. At the same time the 2-storey extension would be built hard up against the site boundary, immediately adjacent to which are several modest but mature trees which at present add to the attractive appearance of this rural area. In my opinion, these trees would inevitably be damaged during construction and would either then be removed or if retained, would give a cramped and hemmed in appearance to the proposed extension. Either of these effects would be undesirable.

8. The extension would have a side window at first floor level overlooking the garden of Highcroft. If the existing tree screen were at the same time damaged or removed during construction, a degree of overlooking and loss of privacy for Highcroft's residents would result. More significantly, the proposed new first floor rear room would have a window facing almost directly towards the patio windows of Highcroft. Some loss of privacy would be inevitable. Although these windows could be obscure glazed, overlooking from open windows in the summer could still take place. Such loss of amenity and privacy would be undesirable.

9. The extension would add to the living accommodation potentially available. On behalf of your client you state it would be used primarily for staff but in my view such a restriction, even if desirable and necessary, would be unenforceable in practical terms. The first floor extension of 75 sq m would in net terms add to the potential capacity and turnover of the business as a whole, inevitably creating more parking demands. At the same time, no extra parking space would be made available. I have only limited evidence before me as to the adequacy or otherwise of the existing parking situation. The building is said to have a gross area of around 1,000 sq m and 35 car parking spaces. You have not disputed the neighbour's contention that the business is successful and popular and that at peak times parking takes place on the classified road, which is derestricted and without street lights. I consider it would be contrary to road safety to add to such a practice, but I have not accorded this factor undue weight.

10. Taking all these matters into account, I consider an extension in the position proposed would in particular unnecessarily harm the amenity of the neighbours and the area's appearance and that there is insufficient justification therefore for making an exception to normal Green Belt policy. I have considered your argument that the proposal would in net terms enable more overnight accommodation to be made available to those using leisure/recreation facilities in this part of the Green Belt, but in my view such a need does not outweigh the planning objections to the proposal. I have taken account of all the other matters raised in the representations, but none have been sufficient to lead me to a different conclusion.

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

C J Checkley

C J CHECKLEY BA(Hons) MRTPI
Inspector

NORTHANTS
DOCUMENT STAMPED
TO ENSURE DETECTION
BY SCANNERS

REFUSED FOR THE FOLLOWING REASONS:

1. The site is within the Metropolitan 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 proposed extension, due to its proximity to the boundary, would adversely affect the visual and general amenities of the adjacent property and the area as a whole.
3. No provision for additional car parking has been made within the site.

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