

Appeal Decision

Site visit made on 15 November 2016

by P Jarvis Bsc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 01 December 2016

Appeal Ref: APP/A1910/D/16/3159701

Hastoe Hill House, Hastoe Hill, Hastoe, Nr. Tring, Herts, HP23 6LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs J Lloyd Townshend against the decision of Dacorum Borough Council.
 - The application Ref 4/01501/16/FHA dated 31 May 2016 was refused by notice dated 5 August 2016.
 - The development proposed is a detached garage.
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Decision

1. The appeal is dismissed.

Main issues

2. The parties appear to agree that the proposal would be inappropriate development in the Green Belt. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate development in the Green Belt unless for one of the stated exceptions. These include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
3. Policy CS5 of the Core Strategy (2013) (CS) allows for small scale development including limited extensions to existing buildings and Policy 22 of the Dacorum Borough Local Plan (2004) (LP) states that extensions to dwellings in the Green Belt should be limited in size, taken as less than 130% of the floor area of the original dwelling. The Council has clarified that curtilage buildings are treated as an extension to the dwelling and that having regard to extensions that have taken place or been permitted at the property, the limit set by LP Policy 22 has already been exceeded. The proposed garage would be a disproportionate addition and therefore inappropriate development. Paragraph 88 of the Framework clarifies that substantial weight is to be given to such harm.
4. Therefore, the main issues are (a) the effect on Green Belt openness and Chilterns Area of Outstanding Natural Beauty (AONB) and (b) whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations

Reasons

5. The appeal site occupies an isolated and elevated location in open countryside some 2 km from the town of Tring. The existing large detached house is
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currently undergoing extensive refurbishment. The site lies in the Green Belt and Chilterns Area of Outstanding Natural Beauty.

Effect on Green Belt openness and Chilterns AONB

6. The proposed garage would be constructed of black painted timber boarded elevations with brickwork plinth and roof tiles to match the main dwelling. It would have a ridge height of around 5.5 metres with depth of 6.3 metres and width of 9.6 metres. It would be sited close to the western, roadside, boundary of the property, which is marked by an existing hedge and would occupy higher ground than the existing house to the north which is separated from the front garden area and driveway by a small grass bank and hedge.
7. Currently, the front garden area of the property is devoid of buildings with open views of the countryside to the east. Although the proposed garage would not be readily visible from Hastoe Lane, its roof would likely be visible above the boundary hedge. Therefore, both in actual and visual terms, the proposed garage would not maintain the openness of the Green Belt. In this regard there would be further conflict with CS Policy CS5 and LP Policy 22 which seek to protect the openness of the Green Belt and maintain the open character of the countryside. Whilst noting the generally subordinate nature of the proposed garage compared to the dwelling, in accordance with paragraph 88 of the Framework, substantial weight is to be given to this harm.
8. However, the traditional design of the building and materials to be used in its construction are sympathetic to the character and appearance of this rural part of the Chilterns AONB. Therefore, I find that it would comply with LP Policy 97 which seeks to ensure that the beauty of the AONB is conserved and that any development is satisfactorily assimilated into the landscape and sympathetically sited and designed.

Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations

9. The appellant has clarified that the garage is required to provide secure storage for two high value cars. It is a requirement of the insurance company that the vehicles are garaged overnight whilst at the home address in view of the high risk of theft. Whilst I agree that security is an important matter, such circumstances are not unusual and, in this regard, I note that the refurbishment works to the dwelling include the conversion of what was an existing garage. Furthermore, the proposed building appears to be larger than is necessary to simply accommodate two cars.
10. In my view the harm by reason of inappropriateness and harm to openness of the Green Belt is not outweighed by these other considerations and very special circumstances have not been demonstrated.
11. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR