



Appeal Decision

Site visit made on 1 October 2024

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2024

Appeal Ref: APP/A1910/W/24/3338670

2 & 4 Water End Road, Potten End, Hertfordshire HP4 2SG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Peek against the decision of Dacorum Borough Council.
 - The application Ref is 23/02835/FUL.
 - The development proposed is the erection of 2no. detached car ports and ancillary works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan Policies, and
 - the effect on the character and appearance of the area.

Reasons

Whether inappropriate development

3. The appeal site is located within the Green Belt. Paragraph 143 of the Framework sets out the purposes of the Green Belt which are; to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
4. Paragraph 154 of the Framework sets out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions. New buildings within the Green Belt are inappropriate unless, amongst other things, they relate to 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.

5. The proposal is for two car ports that would be located to the front of the existing dwellings and be physically detached. Having regard to case law¹ the fact that the car ports would be physically separated from the main dwellings does not prevent them from being an extension. It is a matter of fact and degree in each case and for the appeal before me it is clear that the car ports would have a close relationship and be used in connection with the main dwellings, and I therefore find the proposed development would represent an extension of the dwellings.
6. The Framework does not provide a definition of 'disproportionate additions' and therefore an assessment of whether a proposal would amount to disproportionate additions over and above the size of the original building is a matter of planning judgement.
7. The proposed car ports are modest in size and would represent an increase in footprint by 15%. I note that they have been reduced in size from previous schemes and can store two cars, which would be proportionate with the modest size of the dwellings.
8. For the above reasons, I conclude that the proposed development would not be inappropriate development in the Green Belt. I find no conflict with the Green Belt aims of Policy CS5 of the Core Strategy 2006-2031 Adopted 25 September 2013 (CS) which seeks to protect the openness of the Green Belt.
9. As the proposal would not be inappropriate development, an assessment on the effect on openness and whether very special circumstances apply is not required.

Character and appearance

10. The appeal site is located on Water End Road, towards the fringe of Potten End. Houses generally line the road in a linear pattern, mostly on the opposite side of the road with many being set back from the road with gardens and driveways. Dwellings on the same side of the road as the appeal site are more sparsely spread out and tend to be broken up by open fields and dense hedgerows. Overall, the area has an open and verdant character and appearance.
11. The car ports would be located close to the front elevations of the dwellings; however, they would still be an obvious addition to the front which would be at odds with the prevailing open frontages that are character of the area. The closeness to the existing built form would also result in a cluttered frontage. Therefore, the car ports would be jarring features that would erode the open character and appearance of the area.
12. I therefore conclude that the proposal would unacceptably harm the character and appearance of the area. It would be contrary to Policies CS5, CS11, CS12 of the CS, which amongst other things, seek to ensure that developments preserve attractive streetscapes, integrate with the streetscape character and has no significant impact on the character and appearance of the countryside.

¹ Sevenoaks District Council v Secretary of State for the Environment and Dawe [1997]

Other Matters

13. The appellant has referred to a planning application that has been granted nearby at Old Kiln Meadow in order to justify the appeal proposal. However, I do not have the full details of this development and in any case, each appeal should be considered on its own merits.
14. However, in respect of Old Kiln Meadow, from site observations I noted that works do not appear to have commenced. Nonetheless, from the limited information before me I note that permission has been granted for two detached dwellings which would have detached double garages located to the front elevation. While garages have been permitted in this scheme, the site layout is different as access would be shared with the original dwelling meaning that views of the garages would be screened by the dense hedgerows and trees that form the sites frontage. The site is also further set back than the appeal before me which also allows the open character and appearance to be maintained, even with the garages.

Conclusion

15. For the reasons given above the appeal should be dismissed.

D Wilson

INSPECTOR