



Appeal Decision

Site visit made on 14 January 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2025

Appeal Ref: APP/A1910/W/24/3346139

Bag End, Hogpits Bottom, Flaunden, Hemel Hempstead, Hertfordshire HP3 0PX

- 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 Craig Alland against the decision of Dacorum Borough Council.
 - The application Ref is 23/02640/FUL.
 - The development proposed is the subdivision of the land and change of use for the ancillary C3 pool house building, to create a C3 residential use, 2no. bedroom unit and private amenity.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The main parties agree that the proposed development is not inappropriate in the Green Belt. Based on the evidence before me, I concur.
3. The Council has referred to the proposal being contrary to the expectations of saved Appendix 3 of the Local Plan in the reason for refusal. However, I have not been provided with Appendix 3 and, consequently, I have not had regard to it in reaching my decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The village of Flaunden is formed of two parts, a core area, containing the village Hall and a Baptist Church, and a northern area, between which is a significant extent of open countryside. The appeal site lies within the northern area, which has a strongly defined linear character with dwellings fronting onto Hogpits Bottom, Flaunden Lane and Venus Hill. Flaunden Park, where several mobile homes are sited, and the adjoining dwelling, Annapurna, are the exceptions to that linear form as they extend to the rear of the frontage properties on Hogpits Bottom forming an enclave of development at the edge of the village.
6. The site lies to the rear of a row of large residential properties on the north side of Hogpits Bottom, which are set back from the road within substantial plots that, largely, extend some distance from the highway. The wide grass verges, mature trees and hedgerow planting along Hogpits Bottom are notable features contributing to a verdant, spacious and rural quality.

7. The appeal site comprises land to the rear of Oak House that forms part of the garden of Bag End. The site contains a single storey building which was constructed as a pool house but has temporarily been used as a dwelling whilst building works were carried out to Bag End. At the time of my visit the site had been subdivided from Bag End by a boundary fence and a line of potted shrubs.
8. The proposal would not introduce an additional building onto the site or result in the formation of a new access. In addition, the plot size would be broadly comparable with others and therefore would not appear cramped. Nonetheless, the use of the pool house as a fully independent dwelling would be readily apparent, with inevitable signs of separate occupation including additional comings and goings, extra parked cars, house signage, refuse/recycling bins, garden furniture and other domestic paraphernalia. Such changes to the appearance of the site, would result in a tandem form of development that would be at odds with the prevailing character of the immediate area and with the rural nature of this part of the village.
9. The development plan and the Strategy and Guidelines for Managing Change to the Landscape Character Area 107¹, within which the appeal site is located, do not specifically prohibit tandem development. Nevertheless, it remains that the introduction of a dwelling to the rear of the frontage properties would not conserve or enhance the distinctive character of this traditional settlement, as it would not sit well with the predominant pattern of development in Flaunden. Overall, it would appear as an intrusive and discordant addition to the detriment of the character and appearance of the area.
10. In reaching this conclusion I have had regard to Flaunden Park and to the dwellings that have been permitted adjoining Annapurna. Annapurna and the permitted dwellings are infill development as they are located between the frontage properties and Flaunden Park. Accordingly, whilst they form a component of the character and appearance of the village, they differ from the proposal before me, which is tandem and not infill development. Furthermore, as the appeal building is separated from Flaunden Park by open land it would not appear as forming part of that enclave. Thus, the existence of Annapurna and the permitted dwellings adjoining it would not assist in the assimilation of the proposal into its surroundings or reduce the harm that I have identified.
11. The appellant has drawn my attention to planning permissions in Hemel Hempstead. However, such development does not form a component of the character or appearance of Flaunden. Additionally, the Birch Lane development referred to by the appellant differs from the proposal before me as the site is adjacent to the highway. As such, those planning permissions do not provide clear or convincing justification for the scheme that is before me.
12. Therefore, I conclude that the proposal would have an adverse effect on the character and appearance of the area. It would be contrary to Policies CS1, CS5, CS11 and CS12 of the Core Strategy which seek to ensure that rural character is conserved, and that development has no significant impact on the character and appearance of the countryside.

¹ As set out in the Dacorum Landscape Character Assessment

Other Matters

13. The provision of a dwelling would make a very modest contribution towards meeting housing needs. Benefits to the local economy would also be small given the scale of the scheme. When taken together, such benefits of the proposal would not outweigh the harm that I have identified. Moreover, even if paragraph 11 d) ii) of the Framework were engaged, the adverse impact of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole.
14. It is common ground between the parties that the building is appropriate for residential occupation, that minimum space standards are exceeded, an acceptable level of private amenity space would be provided, and a suitable and safe access is proposed. There is no substantive evidence before me to lead me to disagree. Nonetheless, that does not justify development that is contrary to policy.
15. The appeal site lies within the zone of influence for the Chilterns Beechwoods Special Area of Conservation. However, as the appeal is to be dismissed, there is no need for further consideration to be given to this or to the provisions of the Conservation of Habitats and Species Regulations 2017.

Conclusion

16. The development conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
17. I hereby dismiss this appeal.

Elaine Moulton

INSPECTOR