

**4/01221/16/FUL - NEW DETACHED FOUR BEDROOM DWELLING.
LAND ADJACENT TO KILVE, MEGG LANE, CHIPPERFIELD, KINGS LANGLEY, WD4
9JW.
APPLICANT: MR HARRISON.**

[Case Officer - Joan Reid]

Summary

The application is recommended for refusal. The application site is located within the Metropolitan Green Belt and the proposal for a new dwelling is considered to be inappropriate development in accordance with the NPPG and policy CS5 of the adopted Core Strategy. It is considered that there are no sufficient 'very special circumstances' to justify the proposal and as such the proposal would conflict with National and Local policy and be harmful to the openness of the Green Belt.

Site Description

The application site comprises a field located to the north of Megg Lane, which is located within the Green Belt. There is a small structure located in the top left hand corner of the site which was most recently used for storage/agricultural purposes and was subject to repairs a number of years ago.

Proposal

The application seeks permission for the demolition of the structure and erection of a new chalet bungalow on the site to the southern boundary. The proposed 5 bedroom dwelling would extend to a footprint of approximately 136sqm.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Chipperfield Parish Council and a member of council staff is related to the applicant.

Planning History

4/01357/11/LDE STORAGE SHED
Granted
28/02/2012

4/00150/08/FUL REBUILD EXISTING STORAGE SHED AND ERECT FIVE BAR GATES TO
EXISTING ENTRANCE
Refused
02/04/2008

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
NPPG

Adopted Core Strategy

CS5 - The Green Belt
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS29 - Sustainable Design and Construction
CS35 - Infrastructure and Developer Contributions

Summary of Representations

Chipper field Parish Council

CPC Supported the application

Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

The property is located on Megg Lane, which is a private road and is not maintainable by the highway authority

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

Hillrise Cottage

We have consulted both the National Policy guidelines and Dacorum Borough Council's Core Strategy and wish to object to the proposed building on the basis of the following:-

- National Policy with regard to Green Belt
- Dacorum's Policy CS5- Green Belt
- Dacorum's Policy CS12 – Quality of Site Design

We understand that Policy 6 (Replacement for Policy CS6) does not apply to Megg Lane as it is outside the designated 'Divine Village Boundary'.

Our objections are as follows:-

- The proposed building is situated within The Green Belt where there is a presumption against built development. The proposed development directly contravenes both National Policy and Dacorum's Core Strategy which has been designed to ensure that The Green Belt is protected from inappropriate development and remains essentially open in character and locally distinctive. The proposed development directly contravenes this policy as it would be visually intrusive and affect the openness of The Green Belt in Megg Lane.
- The proposed building directly contravenes guidance for The Green Belt which aims to protect the countryside for the sake of its intrinsic character and beauty and the diversity of its landscape, heritage and wildlife. The proposed building damages the intrinsic quality and purpose of the countryside in Megg Lane and will have a significant impact on the character and appearance of the

countryside in Megg Lane. The owner's regular use of hedge trimmers and chain saws have already removed much of the foliage from within the plot and had a detrimental impact on wildlife. Many species have been adversely affected by the owner's actions, including owls and deer.

- The proposed building would provide visual intrusion, loss of privacy and disturbance to a number of surrounding properties in Megg Lane.
- Megg Lane is a very narrow lane in which access is becoming increasingly difficult due to the detrimental effect an increased volume of traffic is having on the Lane's surface. This development would cause a further increase in the volume of traffic and would therefore be detrimental to safe and satisfactory means of access to existing residents.
- The proposed building does not integrate with the streetscape character or respect the surrounding properties in Megg Lane in terms of scale height and build.
- The proposed building does not replace any existing building for the same use.
- The proposed building is not a limited extension of an existing building.

Hill Brow

We are residents from Hill Brow Megg Lane directly opposite the plot to which this application pertains. We object to this application on the following grounds:

1. The application is not a permitted development in the Green Belt in accordance with Policy CS5 of the Darorum Borough Council's Adopted Core Strategy 25th of December 2013. Paragraph 8.9 of the strategy under Table 2 section 4 lists Chipper field as an Area of Development Restraint as it is a small village in the Green Belt.

Whilst CS6 of the strategy (now replaced by policy 6) does list Chipper field as a permitted development area within the green belt, Megg Lane is not within the demise of the Chipper field village boundary for this purpose. Consequently, policy CS5: Green Belt applies, not CS6.

2. This development should be refused under policy CS5 Green Belt which to protect the openness and character of the green belt. The proposed development is:

- a) not a building for the use defined as appropriate in national policy;
- b) not the replacement of existing buildings for the same use;
- c) not a limited extension to existing buildings;
- d) Not the appropriate reuse of permanent, substantial buildings;
- e) Not the redevelopment of a previously developed site.

3. The proposed development:

- a) would have an impact on the character and appearance of the countryside
- b) does not support the rural economy and maintenance of the wider countryside.

4. The plans, as presented, are not accurate:

- a) The plans state that access to the demise will be via the existing access. However the existing access is adjacent to the boundary and not as detailed on the plans. The proposed access is a car's width away from the boundary.

- b) There is an important document missing from the application: there is reference within the application to a landscaped plan which is not present.
- c) Your letter lists the application as "four bedroom dwelling". However the plans are for a five bedroom dwelling.

5. The proposed development is not central to the plot. It is offset to one side as though there was anticipation of further development.

6. The land is current listed for agricultural use and a previous application was to convert the current shed for storage of agricultural equipment (not granted). The land is adjacent to grazing land which forms the bulk of the landscape between Chipper field and Kings Langley. Granting this development would set a significant precedent for adjacent agricultural and grazing land to also be developed for housing.

7. The owners have already cleared all the plants, trees and shrubs from the site and this has had an extremely detrimental impact on the wildlife, particularly the family of muntjac deer who lived on the plot.

Kilve

We wish to object for the following reasons:

The proposed development is on land designated as Green Belt and directly contravenes the associated planning (policy CS5). Being outside the Chipper field village boundary, policy on selected small villages in the green belt does not apply.

The proposed development is on land which directly connects an adjacent area of open Green Belt - as such, any development would have a material impact on the character and appearance of the countryside.

Megg Lane is a narrow, unmade land unsuitable for significant volume of vehicle movements- a rise in which is already causing unprecedented deterioration - the safety and ease of access for existing residents would be compromised by further residential density.

It is worth noting that the plans which support the proposed development are inconsistent with the application itself, including the number of bedrooms and point of access. Should a subsequent iteration clarify the design, plan and landscaping, we would welcome the opportunity to comment further. In recent weeks, the land in question has been cleared of vegetation. It also has the remains of building work started before the rejection of previous proposals. Despite its current appearance, however, as one of the few open sections of Megg Lane providing connection to adjacent grazing land and woods beyond the land is not just important in maintaining the intrinsic character and openness of the area, but also for supporting local wildlife. Both elements are consistent with the objectives of the Green Belt. In over view, there are no criteria or special circumstances evident which suggests a basis for contravening well established policy.

Considerations

Policy and Principle

The main considerations are the impact of the proposal to the openness of the Green Belt, the impact on highway safety, impact to the neighbouring amenities and impact

on the character and setting of the area.

Impact on Green Belt

The NPPF indicates that, unless there are special circumstances, new isolated homes within the countryside should be avoided. In both the NPPF and policy CS5 of the adopted Core Strategy, there are also significant restrictions placed upon new development within the Green Belt. A new dwelling such as this, whether isolated or not, is inappropriate development as it does not fully accord with any of the acceptable categories referred to within the Framework or the relevant policies. Although, there is an existing structure on the site, it is considered that the proposed new dwelling would result in a significantly larger building on the site than currently exists and little weight can be afforded to this and as such it is considered that the proposal still constitutes inappropriate development within the Green Belt. It is, therefore harmful by definition to the Green Belt.

It is therefore necessary to consider whether very special circumstances exist which allow this development within the Green Belt. The NPPF indicates that such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. It is considered that the proposed dwelling is harmful by definition in that it is inappropriate and that some harm would be caused to the openness of this part of the Green Belt. No very special circumstances have been put forward by the applicant.

Overall it is considered that the proposal represents inappropriate development in the Green Belt, and it is considered that no very special circumstances exist which would outweigh the harm by inappropriateness to the openness of the Green Belt and that the proposal would conflict with the main objectives of the Green Belt as highlighted in paragraph 80 of the NPPF.

Impact on character of the Street Scene

Aside from the Green Belt harm, the proposed dwelling would comprise a similar design which is evident elsewhere on Megg Lane and in design terms no objection is raised. The chalet bungalow style of dwelling wouldn't appear out of context with the surrounding dwellings.

Impact on Highway Safety

Herfordshire Highways have raised no objection to the scheme on highway safety terms. Overall, no objection is raised on this basis.

Impact on Neighbours

It is not considered that there would be any significant harm to the neighbours in terms of loss of privacy, overbearing impact or loss of sunlight. The nearest neighbours to the proposal would be Kilve (approximately 29m away) , Glen Lodge to the west and Megg Lane to the north. There are windows facing Kilve at first floor level however due to the distance in between these are not considered to be overly harmful in terms of loss of privacy. At first floor level on the western boundary, the windows are to be obscure glazed and as such it is not considered to result in a significant loss of privacy.

RECOMMENDATION – That planning permission be **REFUSED** for the reasons referred to above for the following reasons:

The proposed development constitutes inappropriate development in the Green Belt, contrary to policy CS 5 of the Core Strategy and no very special circumstances have been put forward to justify the harm by way of inappropriateness and the further harm to the openness of the Green Belt.