

**4/00150/08/FUL - REBUILD EXISTING STORAGE SHED AND ERECT FIVE BAR GATES TO EXISTING ENTRANCE.
LAND ADJ. KILVE, MEGG LANE, CHIPPERFIELD, KINGS LANGLEY.
APPLICANT: MR K J BROWN.**

[Case Officer - Briony Curtain]

[Grid Ref - TL 04883 02562]

SUMMARY

The application is recommended for Refusal.

Summary of reasons to refuse

The site is situated within the Green Belt wherein there is a presumption against built development. Whilst the proposal is for a replacement building, no conclusive evidence of the size, scale or use of the original structure have been provided. It is thus considered that the proposal is not a replacement structure. In accordance with Policy 4 of the DBLP new buildings will only be permitted for a limited number of purposes. Part of the building will be for general storage and part for agricultural storage. Whilst agricultural storage is an appropriate use, the applicants do not own or control any agricultural land in the area. There is thus no genuine agricultural need. The building would thus amount to inappropriate development in a Green Belt location.

BACKGROUND

Description

The application site is located to the northeastern side of Megg Lane in Chipperfield and comprises a large, relatively open, field. The site has recently been cleared and is now very open in nature. To the northern corner of the site is a partially rebuilt building.

Proposal

Full Planning Permission is sought to replace a storage shed to the northern corner of the site and the erection of five bar gates to the existing entrance to the south. Measuring 8.6m in depth by 9.96m in width the building will have a pitched roof with its ridge 4m in height.

It is claimed by the applicants that a shed of a similar size to that proposed existed in the same location. This had become dilapidated over the years and for safety reasons had to be demolished/repared.

Referral to Committee

The application has been referred to the Committee due to contrary views of the Parish Council.

POLICIES

National policy guidance

PPS1, PPG2 and PPS7

Circular 11/95

Dacorum Borough Local Plan 1991 - 2011

Policies 4, 9, 10, 11, and 110

REPRESENTATIONS

Chipperfield Parish Council

Supports this application.

The present storage shed is dilapidated and an eyesore. We see only benefits in having it rebuilt to the same footprint and height, provided that there are conditions that it is only used for agricultural storage and that no commercial operations are conducted there. The gates are in keeping with this semi-rural road.

Local Residents

4 letters of concern received.

- The building would be visually intrusive and adversely affects the openness of the Green Belt.
- The writer has lived opposite the site for 15 years and can confirm that at no time has there been a structure of the size currently proposed. Until recently all that was there was a small bit of roof and a few bits of falling down wall.
- The building could so easily at a later date be turned into a residence and later a granny annexe.
- What type of goods will be stored there? The size of the gates indicate that they are to allow large lorries onto the premises perhaps for storing building equipment.
- Megg Lane is very narrow and having heavy vehicles turning onto that site will have a detrimental impact on the already worn surface.
- The writer has lived in Megg Lane for 28 years and has never seen anyone use the existing shed for storage.
- The application is not a direct replacement as the square footage of the application is greater than the current structure. There have been substantial footings already laid with no planning permission.
- The current structure is of a rustic rural nature and is in keeping with the landscape. The replacement would be a modern unnatural and conflict with its landscape.
- If planning permission is agreed it should be on the grounds that no further development of this land for residential purposes.
- A large number of trees have already been cleared from the site diminishing its rural character.
- Although a concrete base is evident at no time has the building extended over the whole of this land, the proposal effectively represent a new building.
- The proposed building is of a significant scale and yet the applicants have no connection with the immediate locality so the building offers no obvious storage purpose. This raises concern over the true intentions of the applicant.

- The land in question is not owned by the applicants.
- The shed was originally built as a Pig Sty but used as a storage site for materials. Following complaints the storage of building materials stopped and it was ordered to remove the building. Whilst the pig sty was no longer used for storage it was not removed.
- It is proposed to have windows on the side elevation overlooking adjacent properties which is intrusive and inconsistent with the stated purpose of the new building.

CONSIDERATIONS

Policy and Principle

The site is situated in the Metropolitan Green Belt, wherein there is a presumption against development. Development in this location would be inappropriate unless for agricultural purposes and / or it is replacing an existing building of a similar size.

This application is for a replacement building for agricultural and general storage purposes. The applicants have provided no conclusive evidence supporting the size or scale of the original structure that existed on site. Furthermore, no evidence to suggest the structure was of permanent design and construction has been advanced.

It is claimed that the original structure had a footprint of 274sqm. Other than a plan dated 3rd July 1974 there is no evidence to support a structure this size was ever constructed.

It is not disputed that a structure existed on site, but numerous letters from neighbours and aerial photographs of the site appear to indicate that a much smaller structure existed. No conclusive evidence to contradict this has been advanced. The onus is on the applicant to demonstrate that a structure existed not on the LPA to prove it did not.

The application has consequently been assessed on the grounds of a new / larger building rather than a replacement.

Policy 4 of the Borough Plan permits new buildings within the Green belt for a limited number of purposes only. Whilst no plans showing the proportion of the building to be allocated to each use has been submitted, part of the proposed structure is to store mowers and garden maintenance equipment to maintain the application site. Given the size of the site and the fact it has recently been cleared this would not amount to Forestry or Agriculture. General Storage does not fall within one of the permitted uses and as such this element of the proposal would amount to inappropriate development.

The remainder of the building is to be used for agricultural storage. Whilst this is a permissible use in the Green Belt, the applicants do not own or control any land in the vicinity. The use has, therefore, been questioned with the applicants' agent. A statement has been forwarded claiming that once complete the applicants intend to offer the use of the building for storage to the local agricultural / farming community. This is not acceptable. Policy 110 states that permission for new agricultural buildings will only be granted when they are genuinely needed. No evidence to suggest there is local demand for agricultural storage has been advanced.

Based on the information submitted the LPA is not satisfied that a substantial building existed on site prior to the application. The proposed building is not a replacement and thus amounts to inappropriate development in a Green Belt location.

Visual Amenity

The proposed structure will have an adverse impact on the character, appearance and openness of the Green belt. The proposed structure is substantially larger than the previous one and as such will harm the open rural character of the street scene and wider area. Its visual impact has been exacerbated by the recent clearing of the site. The proposals are thus contrary to Policy 4 and 11 of the Borough Plan.

Impact on neighbours

The proposed building will not have a significant adverse impact on the residential amenities of surrounding properties in terms of light, privacy or visual intrusion. Given the size of the application site, and the positioning of the proposal, the building will be located 35m from the nearest residential property.

RECOMMENDATION - That planning permission be **REFUSED** for the following reasons:

1. The application site is located in the Metropolitan Green Belt in the Dacorum Borough Local Plan 1991-2011. Within the Green Belt permission will only be granted for appropriate development, in accordance with national advice and Policy 4 of the Local Plan. The proposal represents inappropriate development. No very special circumstances have been advanced to show why planning permission should be granted. The proposal is therefore contrary to the aims of Policy 4 of the Local Plan.

* * *