



14 June 2012

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# **DESIGN & ACCESS** **STATEMENT**

## Address

Wildewood,  
Kentish Lane,  
Brookmans Park,  
Herts., AL9 6JG.

## Proposal

Erection of a  
Swimming Pool Enclosure

**June 2012**

PLANNING DEPARTMENT  
OFFICE COPY

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## 1.0 BACKGROUND

1.1 The Council's records will show that earlier this year an application to erect a linked swimming pool and gym building with a terrace and retaining walls at the property known as Wildewood was refused and a subsequent appeal against that decision dismissed. Council reference S6/2011/2227/MA provides the details of that building and the Inspector's decision letter of 16<sup>th</sup> May provides the circumstances under which he considered that the development was unacceptable.

1.2 To overcome the concerns that led to the earlier refusal and in order to provide the owners of the property with the covering over their existing swimming pool that they require, we have significantly reduced the size and scale of the new development and detached it from the host dwelling. In its reduced form it offers the owners a structure that is now wholly commensurate with its sole function, as a swimming pool enclosure.

1.3 The details of the enclosure are shown on drawing no 10424-A1-PL07. For obvious reasons it is positioned over the existing swimming pool on the western side of the dwelling. In considering and finally dismissing the earlier appeal the Inspector considered that Policy RA3, against which the development was judged, is consistent with the objectives of the NPPF as regards the protection of the Green Belt and he gave it significant weight.

1.4 For the purposes of assessing any new development at the site in terms of Policy RA3 it has been established that the dwelling that exists on the site, which is the replacement of an earlier dwelling, should be regarded as the "original dwelling". In his decision letter the Inspector noted considerable disparity between the figures produced by ourselves and the Council in terms of the extent to which the floorspace within the buildings at Wildewood has been increased since the creation of the replacement dwelling. In an earlier appeal involving the erection of an orangery extension the Council did not seek to argue that any outbuildings at the site were of relevance and the Inspector who allowed that appeal took a similar view. This was despite the fact that Policy RA3 makes reference to the inclusion of outbuildings for which planning permission is required.

1.5 In his decision upon the previous swimming pool enclosure/extension/link the Inspector also discounted any outbuildings, and made the telling point that neither the NPPF nor Policy RA3 defines "disproportionate". In the absence of clear guidelines he stated that each proposal must be considered on its own merits, having regard to the objectives of policies for development in the Green Belt.

## **2.0 THE INSPECTOR'S FINDINGS**

2.1 As a starting point and despite his later conclusions, the Inspector agreed that the previous larger extension would be subordinate to Wildewood. It follows that any subsequent proposal that reduces the amount of development would also be subordinate to the original dwelling.

2.2 Having agreed to its subordinate nature the Inspector noted that its overall length and width would be greater than the original house and that the facades of the building would be more than 60% of the eaves height of the dwelling. On these factors of the development he concluded that its size and character would represent a very substantial and significant addition to the original dwelling. He judged its length and width to be disproportionate to Wildewood.

2.3 Under the heading "other harm" the Inspector commented upon the physical features surrounding Wildewood and upon the higher and three dimensional bulk of the extension, but concluded that as a result of its siting the building would not detract from the character or appearance of the countryside. He did however return to his concern about its width across the site, finally concluding that there was no justification for what he considered to be inappropriate development in the Green Belt.

2.4 Having considered the Inspector's comments and conclusions, we believe that this amended proposal addresses those aspects of the previous scheme that he considered contributed to the disproportionality of the extension. The remainder of this statement will now look at the revised proposal in more detail, cross referencing where necessary to the previous scheme.

### 3.0 THE DETAILS OF THE REVISED APPLICATION

3.1 In terms of the **use** element of the application, the building provides a cover over the existing swimming pool to enable its use all the year round. The principle of providing a cover over the existing pool was not considered to be an issue with the previous scheme; it was only the size of the building that was proposed at the time which the Council and the appeal Inspector found unacceptable.

3.2 In **design** and **layout** terms, the first point to note about the revised scheme is that it now comprises an outbuilding to Wildewood, rather than an extension to it. The glazed link has been removed and the detached building moved further westwards away from the host dwelling. Whereas its overall length in the previous scheme was 28m., which included a changing room, showers, w.c., steam room and sauna at its western end, the bulk of that length has now been reduced to 17m for the enclosure, linking it to the existing sunken changing room at its western end. This addresses the Inspector's first concern about the length of the extension relative to the original house.

3.3 In terms of his other concern about the width, the changes are equally significant. The overall width of the previous building, which included a gymnasium, was 16.5m. That width has now been reduced to 10m. Cumulatively therefore the floorspace of the building has been reduced from the 354 sq. m of the first scheme to 170 sq. m in this revised proposal, excluding the existing small square sunken changing room.

3.4 The changes to the length and width of the extension have resulted in a 52% reduction in its floorspace. This reduced **scale** of the outbuilding would, we believe, no longer represent a very substantial and significant addition to the original dwelling, assuming of course that the Council now considers that outbuildings at Wildewood should be included in an assessment under the provisions of Policy RA3 of the Local Plan.

3.5 The reduction in the length and width of the building has provided the opportunity to retain the banking at the western end and the retaining wall on the north side. As the revised north elevation drawing shows, the result of the retention of these features around the pool enclosure is that the overall visual impact of the building in relation to Wildewood has been lessened to a significant degree. The revised scheme requires no significant earth moving and the previously proposed terracing along the southern side of the pool has been removed altogether.

3.6 Another change that has reduced the impact of the new building has been a movement away from the classical facades to an **appearance** that still reflects the character of the house, but which now emphasises the subservient nature of the proposed outbuilding.

3.7 In dismissing the appeal the Inspector remarked that despite the size of the proposal that he was considering the mature trees and shrubs around the site (the **landscaping**) combined with the boundary fencing and location of the house on lower ground result in it being largely screened from public view. The same considerations apply in terms of this revised, much reduced cover over the existing pool.

#### **4.0 SUMMARY**

4.1 When considered against Local Plan Policy RA3, the National Planning Policy Framework and the reasons why the Inspector dismissed the appeal in respect of the earlier proposal in May of this year, we submit that this revised proposal for a cover over the existing swimming pool would not now result in a disproportionate increase in the size of the original dwelling. Hopefully your Council will agree and look favourably upon this revised scheme. However, should you require further information from us, or clarification upon any aspect of the case before making your decision then do not hesitate to contact us.