



# The Planning Inspectorate

A/750X/MB/P

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

Direct Line 0272-218927  
Switchboard 0272-218811  
Fax No 0272-218769  
GTN 1374

1) JAG  
2) AM  
3) CB

Mr A E King BA (Hons) BPT MR CPT Your Ref:

Osborne Lodge  
Wick Road  
Wigginton

PLANNING DEPARTMENT  
DACORUM BOROUGH COUNCIL

Ack. T/APP/A1910/A/92/205779/P5

TRING  
Herts

Exp	TCPL	DP	DC	SC	Admin	File
HP23	6HQ					

Date:

18 NOV 1992

Received 19 NOV 1992

Comments

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR M LUTT  
APPLICATION NO: 4/0066/92

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Dacorum Borough Council to refuse planning permission in respect of an application for the change of use to a Blacksmith/Farrier's business at The Old Forge, Shantock Hall Lane, Bovington, Herts. I conducted a hearing into the appeal on 22 September 1992.

2. The proposal involves the use of 2 Nissen huts situated in the southern corner of the appeal site which you described as paddock. You referred to the 2 huts as buildings Nos 1 and 2 and they are sited adjacent to the south-west and south-east boundaries respectively. As shown on the application drawing and as confirmed at the hearing it is intended to re-use and refurbish the buildings for use as a Blacksmith/Farrier's business with the use of building No. 2 essentially being that of a stable. The refurbishment works would involve new brick plinths and timber boarding to the gable ends to both buildings. The side walls and roof of building No. 1 would also be entirely reclad incorporating new windows. The proposal also includes landscaping and a parking and turning area. Most of the paddock would be used for grazing; this is a use that has occurred in recent years and the Council accepted that this use does not, in itself, require planning permission. The planning history of the site includes use as a forge between the years 1958 and 1970, although it appears that the forge itself may have been in a building that has since been demolished. While it was part of your case that the site has been used for the keeping of horses since 1970, the current application seeks permission for a change of use and is not an application for the continuation of an existing use.

3. The site is within the Metropolitan Green Belt. It was your view that, in the context of the advice in paragraph 13

of Planning Policy Guidance Note No. 2 (PPG2), use by a Blacksmith/Farrier is appropriate in a rural area. The Council's position was that the use is acceptable in principle but only where it involves the re-use of an existing building and subject to consideration of visual impact on the locality. It is my view that a Blacksmith/Farrier's business can be an appropriate use in a rural area but much depends on the individual circumstances of each case. This proposal involves the re-use of redundant buildings and, as stated in paragraph 16 of PPG2, such a proposal should not be refused unless there are convincing and specific reasons which could not be overcome by attaching conditions. Therefore, I regard this as a form of development that is generally appropriate but I accept the Council's view that it is important to take account of the visual impact of the buildings.

4. Therefore, from the representations made and my inspection of the site and its surroundings, I consider that the main issue in this case is the likely effect of the proposal on the character and appearance of this part of the green belt.

5. The Council listed a large number of policies contained in the Approved Hertfordshire County Structure Plan, the adopted Dacorum District Plan (1984) and the Dacorum Borough Local Plan Deposit Draft. The Council regard the last as having superseded the adopted District Plan for development control purposes. A number of the policies listed by the Council refer to matters that are not in dispute including the location of the site within the Metropolitan Green Belt but outside of any Area of Outstanding Natural Beauty, Landscape Conservation Area or amenity corridor as defined in the adopted Local Plan. The site is also outside any area allocated for industry or employment and it was common ground that policies relating to leisure activities are essentially of background interest in relation to this case. Other policies relate to matters where the Council raised no objection including car parking, highway and traffic considerations, noise and proposals for landscaping. Policy 26 of the Structure Plan states that favourable consideration will be given to the development and redevelopment of land and premises for accommodation for small firms, consistent with the environmental policies of the plan. Structure Plan Policy 47 relates to the character and structure of Hertfordshire and states that local planning authorities will, inter alia, protect and enhance the essential character of the County's rural areas.

6. Turning to the Deposit Local Plan, Policy 3 reflects the need for strict control over development in the green belt while Policies 8 and 9 relate to the quality of development; Policy 8(A) states that development will not be permitted unless it is appropriate on the site and in relation to its surroundings. You questioned the relevance of Policy 8 but the Environmental Guidelines, which amplify the criteria set out in Policy 8, include a section on the conversion of redundant agricultural buildings and it seems to me that the policy is relevant to proposals for changes of use, albeit

that in applying the policy, the fact that existing buildings are involved obviously needs to be recognised.

7. Policy 99 of the Deposit Local Plan relates to redundant buildings in the countryside and it was agreed that it is this policy that is of particular relevance to this case. However, the policy is part of an as yet unadopted plan and it remains the subject of proposed modifications. Therefore, while I consider that the policy is generally consistent with current Government advice it is my view that, at the present time, it is particularly important to consider the criteria in Policy 99 in the context of the relevant advice in PPG2 and PPG7. Policy 99 is a permissive policy which states that planning permission will be granted for the re-use of a redundant building if certain criteria are met, including that there should be no substantive change to the character and appearance of a building and that the building is worthy of retention. The general approach set out in PPG2 relating to the re-use of redundant buildings is discussed in paragraph 3 of this letter. However, both paragraph 14 of PPG2 and paragraph 2.15 of PPG7 indicate the need to consider whether buildings are in keeping with their surroundings; bearing in mind that paragraph 2.15 of PPG7 is concerned with the re-use and adaptation of rural buildings, I have no doubt that this is an important consideration in this case. The possibility of improving the external appearance of a building, as discussed in paragraph D4 of PPG7, also needs to be taken into account. The Council were of the view that, because of its poor condition, the re-use of building No. 1 does not fall within the scope of the advice in PPG7 relating to the re-use of buildings. However, with the base and frame complete, I do not consider that the works needed to bring the building back into use would necessarily amount to substantial reconstruction and, therefore, the proposal needs to be assessed against the background that I have described including the advice in PPG7.

8. The Council accepted your view that this area could not be described as open countryside, although it does contain a number of open fields. There is a considerable amount of sporadic development in the area including an abattoir and industrial premises but it is my view that an attractive rural character has generally been maintained, particularly in the vicinity of the junction between Shantock Hall Lane and Shantock Lane, including Home Farm and Shantock Hall. However, because of the amount of existing development I consider that it is particularly important for development to be strictly controlled in order to ensure that the visual amenities of the Green Belt are not injured and the rural character of the area is maintained.

9. The Council agreed that, in the short-term, the effect of the proposal would be to improve the appearance of these buildings. The difference between the main parties related to the longer term position. The Council considered that the proposal would prolong the life of substandard buildings whereas it was your view that the buildings would remain regardless of the outcome of this appeal. It is my view that

these buildings, which are the survivors of a number of similar structures originally situated within the appeal site, were originally constructed on the basis that they would have a limited lifespan. The lightweight nature of the framework and the cladding materials are all evidence of this and I would describe their appearance as utilitarian. I consider that these buildings detract from the rural character and appearance of the area. This is essentially because of their form and general design which I regard as being out of keeping with their situation in an otherwise open paddock set in a rural area. While the proposals for refurbishment would result in some improvement to the appearance of the buildings their general form and character would not be significantly altered such that they would be more in keeping with their rural surroundings. Therefore, I consider that the main question that needs to be addressed is whether this proposal is likely to result in the life of these buildings being prolonged.

10. I share the common view at the hearing that the buildings could be repaired and maintained without the need for planning permission, including the restoration of the cladding that is currently missing from a significant part of building No. 1. However, it is apparent that the buildings have seen only limited use in recent years, probably amounting to no more than occasional storage and, possibly, use by animals for shelter when grazing in the paddock. You claimed that the buildings could be used as stables without the need for planning permission. The lawfulness of such a use would be a matter for consideration by the local planning authority in the first instance. However, it is my view that it is likely that planning permission would be needed for any use of the buildings that would be sufficiently intense as to make their long-term retention a viable proposition. Taking all of this into account, I have concluded that the proposed use and associated refurbishment works are likely to prolong the life of buildings which detract from the character and appearance of their rural surroundings.

11. While I have considered the short-term alternatives to the proposal, including the possibilities of vandalism and increasing dereliction, it is important to take a long-term view. I consider that, by increasing the likelihood of the buildings being retained on a long-term basis, the proposal would cause material harm to the future visual amenities of this part of the Green Belt and the character of this rural area, contrary to the provisions and purpose of Policies 8(A) and 99 of the Deposit Local Plan and the advice in paragraph 14 of PPG2. Because the buildings are not in keeping with their surroundings, I do not regard Government advice as set out in paragraph 2.15 of PPG7 as being generally supportive of the proposal.

12. There were a number of objections to the proposal by interested persons including the possibility of activities other than as a Blacksmith/Farrier's business, the effect on the appearance of the area resulting from activities and storage outside of the buildings and noise nuisance. The last

was of particular concern to the owner of redundant agricultural buildings at Home Farm which have planning permission for residential use. However, a number of possible conditions were discussed at the hearing, including restrictions on activities outside of the buildings, and I consider that these objections could be overcome by the imposition of appropriate conditions. There were also objections regarding additional traffic but, taking account of the proposed use and bearing in mind that there is no indication that the highway authority have any objection, I do not regard this as a compelling objection. I accept that there is some local demand for the additional Blacksmith/Farrier services that Mr Foskett wishes to provide and I note that the Hertfordshire Business Committee of the Rural Development Commission has indicated its support for the project; I have also taken the advice in paragraph 10 of Planning Policy Guidance Note No. 4 into account. However, while I have concluded that the only objection of substance to the proposal is its likely effect on the long-term character and appearance of the area, and I have taken account of your view that levels of aspiration need to be realistic, I regard this as a strong objection that is not outweighed by any other matter that was brought to my attention.

13. I have considered all other matters raised but find that there is nothing so cogent as to alter the conclusions I have reached.

14. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir  
Your obedient Servant



NICHOLAS STREET BSc(Hons) DipTP MRTPI  
Inspector

APPEARANCES

FOR THE APPELLANTS

- Mr A E King BA(Hons) Bpl MRTPI - Agent for the appellant.
- Mr M Lutt - The appellant.
- Mrs S Lutt - The appellant's wife.

FOR THE PLANNING AUTHORITY

- Mr P S Newton BA(Hons) MRTPI - Planning Officer, Dacorum Borough Council.

INTERESTED PERSONS

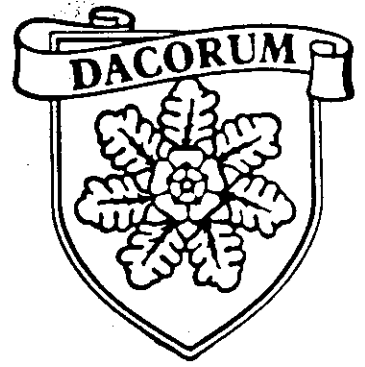
- Mrs G Tatton-Brown - The Coach House, Shantock Hall, Shantock Lane, Bovington.
- Mr R Glenister - Home Farm, Shantock Lane, Bovington.

DOCUMENTS

- Document 1 - List of persons present at the hearing.
- Document 2 - Notification of hearing and distribution.
- Document 3 - Extracts from the Approved Structure Plan, the Dacorum District Plan (1984) and the Dacorum Borough Local Plan Deposit Draft (all appended to the Council's statement).
- Document 4 - Proposed modification to Policy 99 of the Deposit Local Plan.
- Document 5 - Appeal decision regarding 3 enforcement notices concerning land and buildings at The Forge, Shantock Lane (adjacent to Game Farm) and at Mayfield, Maple Hill, Bovington (Ref: T/APP/A1910/C/84/1914-17/P6).

PLANS

- Plans A1, A2 - The application plans.



TOWN AND COUNTRY PLANNING ACT 1990  
DACORUM BOROUGH COUNCIL

Application Ref No. 4/0066/92

M Lutt  
6 Feldenhurst  
Felden Lane  
Hemel Hempstead, Herts  
HP3 0BG

Mr A. King  
24 Lincoln Court  
Berkhamsted  
Herts  
HP4 3EN

DEVELOPMENT ADDRESS AND DESCRIPTION  
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The Old Forge, Shantock Hall Ln, Bovington,  
USE FOR BLACKSMITH/FARRIER

Your application for *full planning permission* dated 17.01.1992 and received on 22.01.1992 has been **REFUSED**, for the reasons set out on the attached sheet(s).

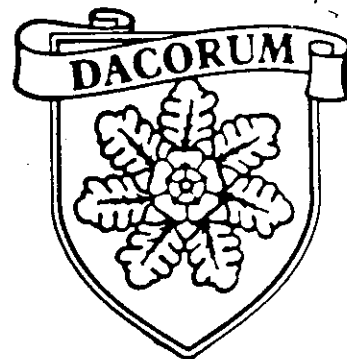
Director of Planning

Date of Decision: 19.03.1992

(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/0066/92

Date of Decision: 19.03.1992



The two buildings which it is proposed to re-use for a forge and stable respectively detract from the visual amenity of the Green Belt by reason of their derelict condition and prominence within the countryside and in their proposed refurbished/reconstructed form will be to the long term detriment of the appearance of the rural landscape in an area where policies of the Development Plan and PPG7 and PPG2 aim to safeguard the visual quality of this countryside location. The proposed buildings are neither attractive nor of any architectural merit and their re-use for other purposes would be contrary to Policy 99 of the Dacorum Borough Local Plan Deposit Draft. To grant planning permission for the re-use of these buildings would prolong the life of sub-standard structures to the detriment of the appearance of this countryside location.