



# Department of the Environment and Department of Transport

Common Services

Room 1309 Tollgate House Houlton Street Bristol

Telex 449321

PLANNING DEPARTMENT  
DACORUM DISTRICT COUNCIL

|  |      |      |      |        |      |
|--|------|------|------|--------|------|
| Ref.   |      |      |      | Ack.   |      |
| C.P.O.   | D.C. | D.C. | D.C. | Admin. | File |
| BS2 9 DJ   |      |      |      |        |      |
| Direct line 0272-218863<br>Switchboard 0272-218811 |      |      |      |        |      |
| 1 DEC 1982   |      |      |      |        |      |
| Comments   |      |      |      |        |      |

Messrs Fuller Hall and Foulsham  
53 Marlowes  
HEMEL HEMPSTEAD  
Herts  
HP1 1LL

CHIEF EXECUTIVE

OFFICE

- 1 DEC 1982

File Ref. ....  
Refer to ....  
Clear to ....

Your reference

HEM/66/3092

Our reference

T/APP/5252/A/82/7767/G9

Date

29 NOV 1982

Gentlemen

6031

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MR S FRASER-BECK  
APPLICATION NO:- 4/0280/82

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for change of use of garage and stable to dwelling on land adjoining Hoo House, Little Gaddesden. I have considered the written representations made by you and by the Council and also those made by the Little Gaddesden Parish Council, the Rural Heritage Society and interested persons. I inspected the site on Thursday 11 November 1982.
2. From my inspection of the appeal site and its surroundings and the representations made I consider that the main issue in this case is whether or not the proposed change of use would do material harm to the character and appearance of the vicinity, bearing in mind the settlement policies for the area.
3. The site lies on the north side of the Ringshall road on the northern fringes of the village of Little Gaddesden. There is generally loose-knit development to the south and on the opposite side of the road and a substantial house in large grounds to the north, beyond which is open countryside. To the rear of the site is open countryside. In my opinion the Ringshall road in the vicinity has a semi-rural aspect, with tall hedges beside the road and generally unobtrusive and long established dwellings. The appeal building itself is unobtrusive, being set behind a tall hedge and within a large site of some 3 acres of trimmed grass and of paddock, with a number of trees.
4. In my opinion the proposed conversion would have no material effect on the appearance of the appeal building, seen from the road. Bearing in mind the purposes for which the building was erected and the sight lines at the access point I can see no significant objection to the proposed development on traffic grounds. However your client's scheme would lead to a very substantial increase in the intensity of use of the appeal building, in my opinion, and would bring additional activity onto a site of essentially unspoilt rural character. I note that your client does not intend to change the appearance of the elevation of the building facing the road, or of the grounds, but I cannot ignore the likelihood that future residents might wish to alter the front elevation, and to lay out and use the grounds as a conventional garden, which would give them a much more urbanized appearance. Moreover as a dwelling the building would be quite small. Future residents could well wish to extend it and in my opinion the Council might find proposals for a modest extension difficult to resist. I have concluded that the proposed change of use would lead to a consolidation of the

present loose-knit development in the vicinity, and to a material increase in activity on the site, and in my view this would do material harm to the present character and appearance of the vicinity.

5. Turning to the framework of planning policies within which this application must be considered, the appeal site lies within an area wherein new development, including changes of use, is very strictly controlled, to preserve the appearance, agriculture and wildlife of the Chilterns Area of Outstanding Natural Beauty. Given the location of the site on the fringes of the village, the material harm which I consider the proposed change of use would do to the character and appearance of the vicinity, and the absence of circumstances, such as agricultural need, which might put the proposed development outside the restrictions of the settlement policies, I consider that your client's scheme is not acceptable in terms of these settlement policies.

6. I have examined carefully your representations about your client's personal circumstances and the unsuitability of his present house, but regret that in my opinion these considerations do not outweigh my objections to the proposed development. You contend that the permission granted for the conversion of an outbuilding at the Manor House lends powerful support to your client's case. However in my view there are special circumstances to justify the development at the Manor House, relating to the architectural and historic value of the Manor House and its setting, which do not apply in the case of your client's proposal. I have examined all the other representations made, but find they do not outweigh the considerations leading to my decision that permission should be refused.

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

I am Gentlemen  
Your obedient Servant



A J J STREET  
Inspector

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF

DUNSTON

IN THE COUNTY OF HERTFORD

To Stuart Fraser-Bock  
19 Pitt Lane  
Little Endersden  
Herts.

Under full planning  
permission  
for a new house  
at Little Endersden  
Herts.

Use of use of garage and stable to dwellin. at  
land adjoining  
at New House, Little Endersden

Brief  
description  
and location  
of proposed  
development.

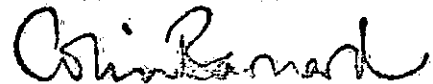
In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 9 March 1982 and received with sufficient particulars on 11 March 1982 and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:-

The Approved County Development Plan, Dunstun District Plan and Approved County Structure Plan (1979) show the site to be within the Chiltern Area of Outstanding Natural Beauty wherein the policies of the local planning authority seek to preserve the appearance of the area, encourage agriculture and conserve wildlife by the restriction of further development. Particular regard to the design, siting and external appearance of buildings, the proposed development is unacceptable in the terms of these policies.

Dated 6 day of May 1982

Signed



Designation Chief Planning Officer

## NOTE

- (1) If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.
- (2) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Whitehall, London, S.W.1.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
- (3) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.