

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To
Mr and Mrs D Holder
Crossways Farm
Nettleden

Wm F Johnson & Partners
39a High Street,
Hemel Hempstead


... Conversion to one dwelling
.....
at. Rear of Little Gaddesden House, Little Gaddesden.
.....

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
... 25th April 1984 and received with sufficient particulars on
... 26th April 1984 and shown on the plan(s) accompanying such application.

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

- (1) The site is within the Chilterns Area of Outstanding Natural Beauty and in an area referred to in the approved County Structure Plan and adopted Dacorum District Plan wherein permission will only be given for the use of the land, the construction of new buildings changes of use or extension of existing buildings for agricultural or other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. No such need has been proven and the proposed development is unacceptable in the terms of this policy.
- (2) The proposed residential use of the building together with associated gardens and drives would extend the purely residential area into the countryside to the detriment of the character of the area.
- (3) The proposed dwelling has main habitable room windows in the west (Cont'd)
Dated ... 28th day of ... June 19 84...

Signed..... 

Chief Planning Officer

elevation, facing Little Gaddesden House, and would result in overlooking and lack of privacy for the occupants of the proposed dwelling and of Little Gaddesden House, itself.

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, Tollgate House, Houlton Street, Bristol, BS2 9DJ). 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.

CJ



**Department of the Environment and
Department of Transport**

Common Services

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14882

**CHIEF EXECUTIVE
OFFICER**

30 DEC 1985

File Ref.

Refer to *QPO 30/12*

Cleared

Messrs Smeathmans

Solicitors

PO Box 1

10 Queensway

HEMEL HEMPSTEAD

Hertfordshire

HP1 1LO

Your reference

RTH/SJK

Our reference

T/APP/A1910/A/84/025572/P7

Date

23 DEC 1985

COUNCIL

Ack.

Admin.

File

Received

30 DEC 1985

Comments

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND

APPEAL BY MR D M HOLDER & MRS M J HOLDER

APPLICATION NO:- 4/0558/84

1. As you know 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 for the conversion of an existing outbuilding into one dwelling, at the rear of Little Gaddesden House, Little Gaddesden. I held a local inquiry into the appeal on 8 October 1985.

SITE AND SURROUNDINGS

2. The appeal site comprises some 4.5 ha of pasture land, known as Little Brownlow Farm, lying adjacent to the north and east of Little Gaddesden House. The House is a large mid-Victorian country house, set back some 150 m from the east side of Nettleden Road. It and its outbuildings, with the exception of the appeal building, are now sub-divided into 9 residential units, with garden areas, and a new garage block, following the grant of planning permission in January 1977.

3. The building the subject of the proposed conversion to a dwelling, is single-storeyed and 'L'-shaped. It is also Victorian, and constructed of brick with a clay tile pitched roof; the accommodation includes kennels, cart sheds, loose boxes, feed preparation and store rooms, a pig-sty and lavatory. Its north facing wing abuts at its western end the curtilage of Little Gaddesden House, and the east and south facing wings are about 15 m and about 10 m, respectively, from it. Nos 8 and 9 Little Gaddesden House, 2-storey residential units with rear gardens about 9 m deep, back onto and overlook the building and the courtyard area it encloses on 2½ sides. While vehicular access is proposed to the converted building on its north side, the existing trackway, off the driveway to Little Gaddesden House, now serves a newly erected timber stock building close to the northern boundary of the site.

4. Village development fronting Little Gaddesden Green lies to the north-west on the east side of Nettleden Road, and the Village Conservation Area boundary abuts part of the northern boundary of the appeal site on its north side close to the Road. However, further ribbon and sporadic development extends south-eastwards along Nettleden Road. To the west lie the wooded grounds of Ashridge Estate and College, owned by the National Trust, and the appeal site and area fall within the Chilterns Area of Outstanding Natural Beauty, and are predominantly rural, consisting of farmland and woodlands, in a rolling landscape.

THE CASE FOR THE APPELLANTS

The material points are:-

5. Mrs Holder, joint appellant, formed the Redloh Stud, a Welsh Pony stud, in 1973, and in 1976 moved to Crossways, Nettleden, Berkhamstead. However, there were only 4 acres of land and further land which was needed could not be rented. Little Brownlow Farm, the appeal site, was purchased in May 1984, together with the old stable block, the building the subject of the planning application under appeal. The Stud has 7 mares at present, and one stallion will be kept, and the maximum number of ponies will be 14. Quality, rather than quantity, is sought by the appellants. Breeding does not generate substantial traffic flows, which in any case is unsettling to the animals.
6. Following expert advice from the College of Agriculture at St Albans, Little Brownlow Farm has been developed as a small farm unit, the principal advantage of this being the substantial benefit to the quality of the land which can be achieved by the rotation of stock. It is the intention to rent or purchase further land to assist this and to enlarge the size of the holding.
7. Seven Leicestershire Long Wool sheep, a rare breed, were purchased a year ago, and 11 Friesian bull calves for fattening as calves this August, and 6 chickens and 5 ducks are kept. A large investment in dead and livestock has been made, totalling £67,108. Excluding the appellants' time, a further £13,300 has been spent since 1977, making a total investment of over £77,000. It will be necessary, however, to expand the Stud and farming business to produce a reasonable return, and for the year to 6 April 1986 further expenditure on the ponies, cattle and sheep is proposed. Profits, excluding labour, for 1986/7 and 1987/8 of £5,460-£6,715 and £7,062-£9,515, respectively, are projected in the submitted figures. They take account of the cost of all food, equipment, transport, fertiliser, veterinary fees, insurance and other outgoings, excluding wages. Income will be used for future capital expenditure on buildings and services, as also listed, totalling £11,650.
8. It is disputed that the appellants' use of the holding is as a non-agricultural enterprise, as is claimed by the Borough Council, and there is every intention to make it a viable agricultural business. Agriculture is defined in the Town and Country Planning Act 1971 as:

"Agriculture includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land) the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodland where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly".

The judgment in *Belmont Farm Ltd v Minister of Housing and Local Government*, QBD, 1962, prayed in aid by the Borough Council, concerns a building which was a hanger, not an agricultural building. Here, the building in question is an agricultural one, situated on an agricultural holding. The judgment in *Minister of Agriculture, Fisheries and Food v Appleton*, QBD, 1969, also quoted by the Council, and the *Encyclopedia of Planning Law*, confirm that the breeding and keeping of horses, other than for their use in farming, does not itself fall within the definition of "agriculture", whereas the grazing of any horses can be properly included. In this instance, however, it is held that the horse breeding and keeping element cannot rightly be taken in isolation from the other agricultural activities carried on, and should be considered within the scope of

"agriculture". The horses are a very important element together with the other farming activities, and the enterprise deserves support and should qualify under the terms of Circular 24/73 - Development for Agricultural Purposes. In assessing whether there is an agricultural need for an agricultural dwelling, the latter is not gospel, but advisory only. It allows for an element of discretion in respect of viability and the prospect of a sufficient livelihood being derived from a holding.

9. While both appellants have full-time jobs at present in Hemel Hempstead, it will be necessary, because of the investment made and to further the development of the enterprise, for Mrs Holder to be in attendance full-time. This is particularly important in the foaling and lambing season, or when sickness or accidents to stock occur. Any farmer is at the mercy of vandals and roaming dogs, and worrying of stock by dogs, theft, damage and trespass have already occurred at Brownlow Farm. The change of use of the stable block to a dwelling is sought for agricultural purposes, therefore, so that someone can be at hand at all times. It is the Government's policy to encourage small businesses, as set out in Circular 22/80 Development Control - Policy and Practice, and the appellants' intend to maintain and develop their agricultural business on the appeal site. As the submitted history shows, the buildings in question from their very inception formed part of Little Gaddesden House, notwithstanding the fact that they are detached from it. The boundary between the stable block and the house is arbitrary, and the sub-division of Little Gaddesden House and the conversion of its other outbuildings into residential units was permitted, notwithstanding that it also was detached from the existing limits of the Village. Doubtless the only reason why the conversion of the appeal block was not given consent was because the developer was not able to purchase it. On its merits, apart from any agricultural consideration, planning permission should be granted for the conversion, and the Council's objections on grounds of setting an undesirable precedent are rejected.

10. There are a number of other conversions from non-residential to residential use which have been allowed, as can be seen from the submitted plan, which must also have been contrary to policy. It is not accepted that the appeal site lies outside the Village Envelope, as residential development extends along both the east side and the west side of Nettleden Road, and there is ribbon development along all the roads in the area. Circular 22/80, in paragraph 18, speaks of the useful provision for housing which can be found by infilling in villages, and by modest expansion - confirming that there should be no absolute barriers to further development. In addition, the Circular encourages the use of redundant farm buildings for other purposes. The preservation of the stable block will enhance Little Gaddesden House, and it lends itself to conversion for residential purposes, and no undesirable diminution of privacy will occur. The appellants see no threat to privacy, and the residential units at Little Gaddesden House are all part of a complex. Those seeking a substantial degree of privacy would not contemplate living in such a property.

THE CASE FOR THE BOROUGH COUNCIL

The material points are:-

11. On the planning history of the appeal site, which is set out in the submitted schedule, planning permission was refused in 1982 for a change of use to an equestrian centre. It was proposed to construct loose boxes for the accommodation of breeding mares, a covered ring for tuition, and a manager's house. The intention was to graze 12 horses, provide hacking and tuition, and to breed horses. Permission was refused primarily because of the location of the site

in the Chilterns Area of Outstanding Natural Beauty, where intensive non-agricultural uses were considered inappropriate. At the time the planning application under appeal was submitted in 1984, the appeal site was under grass and there were no animals on the land. The timber stock building erected on the land by the appellant does not have the benefit of express planning permission.

12. The appeal site lies in the rural area beyond the Metropolitan Green Belt as identified in the Hertfordshire County Structure Plan Alterations No 1, and the Dacorum District Plan. Policy 2 of the District Plan states that in the rural areas beyond the Green Belt, planning permission will not be granted, except in very special circumstances, for development unless the development is:

1. for the purposes of agriculture or forestry;
2. for leisure purposes appropriate to the area and which cannot reasonably be located within urban areas;
3. for other uses appropriate to a rural area.

The District Council will also have particular regard to the likely effects of development on the landscape and environment of the rural areas beyond the Green Belt. The site also lies in the Chilterns Area of Outstanding Natural Beauty. Policy 21 of the Structure Plan Alterations No 1 and Policy 23 of the Dacorum District Plan apply. The purpose of these is to ensure that only development which is absolutely essential is permitted and to prevent sporadic development in an Area of High Landscape Quality. The District Plan also identified the site as being within an Agricultural Priority Area to which Policy 9 applies. In order to give priority to agriculture, planning permission for recreational and other development will not normally be granted; Policy No 18 of the Structure Plan Alterations No 1 also relates to Agricultural Priority Areas. The site lies outside the confines of the village of Little Gaddesden, and is in an area where residential development will normally only be permitted for one of the special purposes set out in Policy 2 of the District Plan.

13. When the planning application was first submitted, the accompanying letter stated that the appellants proposed to use the land for breeding a small number of Welsh Ponies and some sheep. There was no suggestion that it was to be run as an agricultural business. The evidence indicates that there is no agricultural business on the appeal site, and this view is supported by the Ministry of Agriculture, Fisheries and Food in its response to a request made for an agricultural appraisal. In the appellants' grounds of appeal it is stated that the land was acquired for the purposes of a stud. There is no reference to the use of the land for sheep or any other agricultural activity. While it is accepted that the grazing of horses constitutes "agriculture", the Belmont Farm Ltd v Minister of Housing and Local Government, QBD, 1962, judgment shows that the breeding of horses is not agriculture, unless the horses themselves are to be used on the farm. Similarly, in Minister of Agriculture Fisheries and Food v Appleton, QBD, 1969, it was held that within the definition of "agriculture", the definition of "livestock" was restrictive, and "livestock breeding and keeping" does not properly extend to any animal.

14. Even if the site is used as an agricultural unit, this does not automatically mean that a dwelling should be permitted on the site. The need for a house must be established. The means for assessing agricultural need are set out in the Annex to Circular 24/73. The factors to be considered are in paragraph 5, and the first is the viability of the farming enterprise, which is later defined

as offering a competent farmer the prospect of a sufficient livelihood. There is no evidence to suggest that the keeping of 11 calves, 7 sheep, 6 chickens and 5 ducks could afford a sufficient livelihood to a farmer. Paragraph 4 of the Annex states that the need for agricultural dwellings should be met as far as possible by building in an accessible village, hamlet or existing group of dwellings. The appellants, however, live at No 16 Little Gaddesden, which is only 1.7 km from the appeal site, and frequent supervision of the site from that address would be possible. There appears to be no proven need for a dwelling on the appeal site.

15. The policies for the rural area beyond the Metropolitan Green Belt, the Chilterns Area of Outstanding Natural Beauty, and the Agricultural Priority Area seek to preserve the natural beauty of the countryside and its rural character. The predominant land use in this area is agriculture, and the policies seek to protect and encourage agriculture by preventing the proliferation of residential development. The use of the appeal building as a dwelling would result in an extension of residential use beyond the existing curtilage of Little Gaddesden House, onto land which is essentially agricultural in character. There has been no substantial redevelopment within Little Gaddesden House; all 9 units are contained within the Victorian fabric, although there was some modest addition to extend the garage accommodation. The appeal building is not within the Conservation Area, and has not been included in the Statutory List of Buildings of Architectural or Historic Interest. It has not been considered worthy of preservation, and no exception to the planning policies for the area can be justified on the grounds of the need to preserve it.

16. The appearance of the building would be dramatically changed from the plain and uncluttered appearance of an agricultural building, to what will appear quite clearly to be a bungalow. The proposals will introduce an access drive and domestic gardens, not only within the area enclosed by the buildings but beyond, on land which is currently agriculture in appearance. Other features of modern domestic life, such as cars, washing lines, sheds and greenhouses, would undoubtedly appear and intrude into the pleasant rural character of this site. Nos 8 and 9 Little Gaddesden House have their main windows on the east elevation, only some 9 m from the boundary of the appeal site. The proposed dwelling has several windows facing westwards, including hall, kitchen and living room windows. The living room windows in particular are large, and are situated only 10 m from the boundary. The total distance between the directly facing windows of the proposed dwelling and those of Little Gaddesden House is only 19 m. The opportunity for overlooking between the units will be great and the loss of privacy for the occupants of the existing houses will be severe. The occupants of the new house would suffer from an inadequate level of privacy. Such problems could not be overcome without a fundamental redesign of the proposal and could not be satisfactorily secured by the imposition of conditions on any grant of planning permission.

17. The appellants implicitly accept that the proposed conversion falls outside the planning policies for the rural area in asking that it be treated as an exception. There are no special grounds for making such an exception in the Borough Council's view. The planning application was considered on its merits, having regard to the development plan and other material considerations. In respect of Circular 22/80, the appeal site is in open countryside forming part of the Chilterns Area of Outstanding Natural Beauty. With respect to such areas the Circular states that the Government remain committed to the need to conserve and improve the countryside, and there is no change in the policies on national parks, Areas of Outstanding Natural Beauty or Conservation Areas.

THE CASES FOR INTERESTED PERSONS

The material points are:-

18. Little Gaddesden Parish Council objected formally to the proposal on a number of grounds. Development and changes of use within the Area of Outstanding Natural Beauty should only be given planning permission for agricultural or other essential purposes appropriate to the rural area. If planning permission were to be granted in this instance it would create an undesirable precedent, as other sites with buildings could become the subject of similar applications. The development would also create an undesirable intrusion into the privacy of the residents of Little Gaddesden House. The Parish Council wishes to emphasise its continued strong objection. Horse breeding does not come within the definition of "agriculture", and the appellants, in any case, own a house in the Village of Little Gaddesden nearby and have done so over the past 15 months and have conducted their business without the need to reside on the site. If the need were essential, accommodation in Little Gaddesden House, adjoining the site, has been available and could have been purchased. The proposal will detract considerably from the amenities of the House. Applications for similar conversions have been rejected by the Planning Authority, and these applicants would justifiably have grounds for grievance if this appeal were to be allowed.

19. The Rural Heritage Society opposes the appeal proposal and supports the argument of the Borough Council and those of other objectors. The appellants clearly intend to use the land as a stud, and such uses of land in connection with horses should be confined to the amenity corridors. Only an intensive agricultural use of the holding could make it viable. Studs do generate more traffic than normal farming, although the appellants contend the opposite, and there would in fact be a loss of amenity and privacy to the residents of Little Gaddesden House. An agricultural use of such a relatively small acreage would not call for much use of farm machinery, such as combine harvesters, or be comparable to the disturbance associated with the establishment of a residential use. If the appeal were to be allowed, it would set a precedent for the undesirable conversion of other barns and outbuildings in the area. As to the appellants' list of conversions submitted, only the conversion of the Listed Dovecote involved an agricultural building as such. The remainder were cottages before, with an attached machinery shed brought into residential use, or were replacements.

20. For Mr and Mrs Lishman, of No 9 Little Gaddesden House, it is held that the appeal site is situated in a rural area, beyond the Metropolitan Green Belt and within the Chilterns Area of Outstanding Natural Beauty, and is shown in the County Structure Plan as part of an Area of Agricultural Priority. It lies outside the main concentration of development of Little Gaddesden Village, and is not included within its Conservation Area and the appeal building is not Listed. There is a presumption against new development, except in very special circumstances, and there is an onus on the appellants to establish the need for a dwelling on the farm, and to satisfy the questions set out in the Annex to Circular 24/73. It is, however, questionable whether the holding is agricultural, and whether in any case, with its small acreage, it could be a viable enterprise without intensive operations with more buildings and necessarily inconsistent with the character of the Area of Outstanding Natural Beauty. In any event, the appellants already live very near the appeal site within an existing village.

21. The conversion proposed would seriously affect the amenities of No 9 Little Gaddesden House and its garden. The stable block is only about 4.5 m from its garden patio, about 6 m from its conservatory, on the rear of the house, and

only some 9 m from the main house. Constant residential and family activity at such a close distance, and the comings and goings, would seriously reduce the privacy and enjoyment of No 9, apart from the cars and other vehicles being parked and using the garage just a few feet away. The occupiers of the converted property themselves would also enjoy little privacy, being directly overlooked by Nos 8 and 9 Little Gaddesden House. The units in the House enjoy a high level of privacy, and No 9 has more privacy than Mr and Mrs Lishman's former house in a residential cul-de-sac in Berkhamstead.

22. Mr Jaffe, who was formerly a resident at No 8 Little Gaddesden House, considers that the appellants are attempting to demonstrate at the inquiry the establishment of a viable agricultural unit in order to circumvent approved planning policies. Their case on agricultural grounds should be rejected as not proven. As to the impact on adjacent residents in Little Gaddesden House, the proposed domestic use of the appeal building would have a very detrimental impact.

23. Mr Aubrey-Fletcher lives at No 8 Little Gaddesden House, adjacent to the appeal site. He considers that he would be seriously inconvenienced by the conversion if it were to take place, and his property would be overlooked by it to an excessive and unreasonable extent. Even if there were justifiable grounds of agricultural need for a dwelling, the appeal building is not the right site for it.

24. Mrs Gould, of No 5 Little Gaddesden House, opposes the appeal proposal and supports the objection of Mr and Mrs Lishman on grounds of loss of privacy. The residents of Little Gaddesden House enjoy a high level of privacy at present, which is highly valued and should be respected and preserved.

CONCLUSIONS

25. From my inspection of the appeal site and its surroundings, and the representations made, I am of the opinion that the principal issues for determination in this case are:

firstly, whether there is sufficient justification on agricultural grounds to warrant an exception being made, in a rural area beyond the Green Belt lying in the Chilterns Area of Outstanding Natural Beauty, where further residential development is normally only permitted for a special purpose such as agriculture;

secondly, whether the creation of a new dwelling in this position and rural setting is acceptable on its merits, or whether it would be unduly intrusive, and also be unneighbourly in relation to adjacent residential development at Little Gaddesden House.

26. On the first issue, I am satisfied that while there is ribbon and sporadic residential development on this south-east side of Little Gaddesden Village, the appeal building itself lies outside the confines of the Village, and within the enclosing predominantly open countryside. Setting aside arguments for the conversion of the appeal building on its own merits, to which I address myself below, without the justification of a special need as set out in Policy 2 of the District Plan, the proposed conversion would normally be in breach of the aims of the District Plan and the Alterations to the Structure Plan. These are designed to control development in such rural areas and to afford special protection to the character and landscape of the Area of Outstanding Natural Beauty. As to your clients' reliance on a special agricultural justification,

I find that in law the keeping and breeding of horses, as opposed to their mere grazing, does not constitute "agriculture" unless they are used for farming purposes. Clearly, the use of Little Brownlow Farm to accommodate their Pony Stud is one of your clients' principal purposes in occupying the holding, but this element or side of their activities cannot, in my opinion, properly constitute an agricultural operation in the context of the present appeal. I have, of course, carefully noted the sheep, calves and poultry which have been recently brought onto the land. Nevertheless, bearing in mind the relatively small total area of the holding, and the small number of animals other than horses, I cannot conclude that the enterprise as established can qualify as having a special agricultural need for a dwelling, sufficient to warrant an exception to these planning policies. Furthermore, I note that your clients' live only a short distance away in Little Gaddesden, and it appears to me that the appeal building itself can afford shelter and facilities for dealing with the birth of animals and other emergencies occurring outside normal working and attendance hours, without the need for a residential unit on the holding.

27. Turning to the second issue, apart from its common boundary on one side with the curtilage of Little Gaddesden House, the appeal building is surrounded by open and attractive agricultural land. It, of course, already exists as a building, but its conversion to a dwelling, unlike the sub-division of Little Gaddesden House, would, in my opinion, be intrusive, both physically, visually and aesthetically, and consequently be unduly detrimental to the existing rural landscape and setting of this part of the Area of Outstanding Natural Beauty. I have based this conclusion on the fact that the provision of a new vehicular access, the inevitable need to insulate the converted building within a curtilage and garden, making a new encroachment into agricultural land, together with the impact of normal domestic use, would significantly change its present pastoral setting and surroundings. I also consider that Little Gaddesden House, with its steep roof pitches and distinctive chimneys, is an interesting and striking building, and that these consequences of the proposed conversion would detract from its setting on the edge of open countryside, and also the privacy of Nos 8 and 9 Little Gaddesden House and their gardens lying adjacent to it. While the appeal building also has some attractive architectural features, I do not consider that even with a sympathetic conversion, this can outweigh the objections elaborated above, or justify allowing the conversion on its merits.

28. I have taken account of all the other matters raised, including your clients' investment in the holding and their plans for its future, and Circulars 22/80 and the more recent 15/85 Development and Employment, but consider, however, that they are outweighed by those considerations that have led me to my decision.

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

I am Gentlemen
Your obedient Servant



D J TACKLEY BSc (Econ) FRTPI
Inspector

APPEARANCES

FOR THE APPELLANTS

Mr R T Hodder

- Solicitor, of Smeathmans, Solicitors, PO Box 1, 10 Queensway Hemel Hempstead, Hertfordshire, HP1 1LU.

He called:

Mrs M J Holder

- Joint Appellant.

Mr A J Parisi FRICS

- Partners, William F Johnson & Partners, 39A High Street, Hemel Hempstead, Herts.

FOR THE PLANNING AUTHORITY

Miss A M Burton

- Assistant Solicitor, Dacorum Borough Council.

She called:

Mr D P Noble BA(Hons) MRTPI
MRSH

- Principal Assistant Planner, Dacorum Borough Council.

INTERESTED PERSONS

Mr R Perrin MRTPI

- Associate, Stimpsons, Surveyors, Estate Agents, Town Planning Consultants, 14A St Albans Road, Watford, Herts, WD1 1RX.

Representing Mr Edwin D Lishman of 9 Gaddesden House. He acted as advocate and witness and called:

Mrs D Lishman

- Local resident of 9 Little Gaddesden House.

Mr L C Hopkins

- Member, Little Gaddesden Parish Council, representing Little Gaddesden Parish Council.

Mr A J Jaffe

- Local resident of 3 Chequers Cottages, Gaddesden Road, Little Gaddesden.

Mr E Rowe

- Chairman of The Rural Heritage Society, Little Gaddesden, representing the Society, of Home Farm Lodge, Little Gaddesden.

INTERESTED PERSONS CONTINUED

- Mr D Aubrey-Fletcher - Local resident of 8 Little Gaddesden House.
- Mrs P Gould - Local resident of 5 Little Gaddesden House.

DOCUMENTS

- Document 1 - List of persons present at the inquiry.
- Document 2 - Notice of the appeal and local inquiry dated 20 September 1985.
- Document 3 - Letter dated 6 March 1985 from the Ministry of Agriculture, Fisheries and Food.
- Document 4 - Letter dated 1 October 1985 from The Hertfordshire Society.
- Document 5 - Six letters dated 26 September-1 October 1985.
- Document 6 - Letter dated 17 October 1985 from Councillor J E Massey.

Submitted on Behalf of the Appellants;

- Document 7 - History of the appeal building.
- Document 8 - Expenditure to date at Little Brownlow Farm on A. Deadstock and B. Livestock.
- Document 9 - Projected Net Profit 6 April 1986 - 6 April 1987 and 6 April 1987 - 6 April 1988.
- Document 10 - Proposed Additional Capital Expenditure.
- Document 11 - Letter dated 1 October 1985 from The National Farmers' Union, Watford and Tring Branches.

Submitted on Behalf of the Borough Council

- Document 12 - Planning history.
- Document 13 - Documents and correspondence relating to the appeal application.
- Document 14 - Planning Policies; Hertfordshire County Structure Plan Alterations No 1 (Hertfordshire County Council 1984) - Policies 15, 18 and 21; Dacorum District Plan (Dacorum District Council 1984) - Policies 2, 9, 10 and 23.
- Document 15 - Extract from Circular 22/80, paragraph 4, 'Development Control - Policy and Practice.
- Document 16 - Suggested planning conditions if planning permission were to be granted.

DOCUMENTS CONTINUED

Document 17 - Queen's Bench Division Judgements:

- a. Belmont Farm Limited v Minister of Housing and Local Government and Another.
- b. Minister of Agriculture, Fisheries and Food v Appleton and Another.

Submitted on Behalf of Mr and Mrs D Lishman:

Document 18 - Extract from the Annex to Circular 24/73 'Development for Agricultural Purposes'.

PLANS

- Plan A - Accompanying the original planning application under appeal 1/100.
- Plan B - Little Gaddesden Village: Residential Areas and Conversions to Residential Use (Appellants). 6 ins to 1 mile.
- Plan C - Appeal site; Conservation Area Boundary (Council) 1/2500.
- Plan D - Appeal site; No 9 Little Gaddesden House and its curtilage (Mr and Mrs Lishman) 1/2500.