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PLANNING DEPARTMENT  
DACORUM BOROUGH COUNCIL  
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Ref.					Ack.		Your reference	
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Received					31 MAY 1991		Date	
Comments								

T/APP/A1910/A/90/163643/P5  
Date 30 MAY 91

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MISS G D VAN ROSSUM  
APPLICATION NO: 4/0565/90

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 for the conversion of a pumphouse to a dwelling and the erection of 2 rear extensions and a garage on land at Feveralls Farm, Roe End Lane, Markyate. I held a local inquiry into the appeal on 17 April 1991.

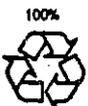
2. From what I saw of the site and its surroundings, read in the representations and heard at the inquiry, in my opinion the main issue in this case is the effect of the proposal on the character and appearance of the landscape of the surrounding Area of Outstanding Natural Beauty (AONB).

3. Markyate is surrounded by very pleasant rolling countryside as one would expect in part of the Chilterns AONB. The appeal site is on the crest of a ridge a short distance to the south-west of the village. The land drops away to the north-west and the south-east giving extensive views across fields separated by hedgerows and woods. Scattered among these there are farms and houses, both singly and in small groups.

4. Access to the appeal site is from Roe End Lane northwards along a tarmaced private road to Feveralls Farm. From there about 150 m of unsurfaced track leads to the rectangular site which is surrounded by fields. The pumphouse is a single-storey building roughly in the middle of the 0.2 ha site and there is a small outbuilding between it and the track. Both have not been used for their original purpose for many years and they are in a very dilapidated state. On the southern part of the site there is a rectangular reservoir which is covered in earth and vegetation although the embankments have been removed on the northern and eastern sides to reveal yellow brick walls.

5. In 1989 planning permission was granted to create an upper floor in the pumphouse and convert it into a one bedroom dwelling. Your client wants to add two 2-storey rear extensions to create a 3 bedroom house. The reservoir would be demolished and a double garage and workshop built on part of its site. The plans show the existing hedgerows along the northern, western and southern boundaries of the site retained and a post and rail fence alongside the track. Between the site and Feveralls Farm the track would be made up with hoggins and surfaced in stone.

6. The track also provides access to the adjacent fields, and I think that resurfacing it in the manner proposed would not change its basic agricultural



character. Similarly the erection of the post and rail fence would not look out of place.

7. The overall character of the site would change with a parking and turning area for vehicles in front of the garage, a cultivated garden and the usual domestic paraphernalia. As such it would be little different to any other house in the surrounding rural area. Such changes would be likely to happen with the approved conversion scheme which includes 2 parking spaces, and in my view the more intensive use which might result from a larger dwelling would have limited additional impact. The plans show that an area at the rear of the extended pumphouse and the garage and part of the drive in front of the garage would be below ground level. The maximum depth would be less than 1 m and there are no viewpoints at higher level at close quarters from which the extent of the excavation could be appreciated. The plans show low walls around the area at the rear of the proposed dwelling but such walls are often found in gardens. The site has not been in agricultural use and in the circumstances I believe that these general changes to its character would not have a significant effect on the surrounding area.

8. Despite its current state and the recent collapse of part of a small rear extension enough of the pumphouse remains to show that it was once an attractive building with a distinctive appearance. It is narrow with a steep pitched, gable ended roof, arched windows and 2 larger openings in the eastern and western elevations. According to the plans the eastern elevation would remain largely unaltered, except for a new door and glazing in the central opening and a rooflight at each end. These would be a new feature but they would take up a relatively small proportion of the roof slope. In my view if they were well designed they would not be particularly obtrusive and need not detract from the general character or the appearance of the building.

9. The 2 extensions would be on the western side of the building. They have been designed with ridges the same height as that of the pumphouse. The pattern of openings in them would be different to what is there at the moment but the plans show a similar style of window and repeat other architectural details of the existing building. On the other hand the extensions would be about the same depth as the original building and twice as deep as the existing flat-roofed extension. I think that they would appear to be substantial additions to what is a comparatively modest building and their bulk would be emphasised by the lower pitch of the roofs and higher eaves. Even if they were to be built in materials to match those of the pumphouse their position at the ends of the building would make the contrast in appearance between them and the distinctive proportions and roof profile of the pumphouse more obvious.

10. The front of the new garage and workshop building would be set back in line with the eastern elevation of the pumphouse. It would extend back as far as the rear wall of the southern extension with a floor area about two-thirds that of the existing building. Although its eaves would be roughly level with the top of the reservoir, the ridge of its roof would be the same height as that of the pumphouse. In my view it would be a very substantial outbuilding, and the use of truncated hips on the roof would do little to reduce its overall bulk. Taking these points together I conclude that the combination of the extensions and the garage/workshop would overwhelm the distinctive appearance and simple character of this pleasant but modest building.

11. In reaching this conclusion I have borne in mind that the reservoir covers a larger area than the proposed garage/workshop and that its top is level with the eaves of the pumphouse. However the embankments and vegetation have helped it to

blend into its surroundings but even if they were not there it would still have a comparatively low profile.

12. Because the eastern side of the site is open the pumphouse can be glimpsed from the road at Cheverall's Green through gaps in the hedges. In these views from the east the extensions would not be seen but the new garage would be clearly visible. As I saw from the public footpaths to the north-east there is a good view of the site and the buildings on it. From this direction the depth of the northern extension would be noticeable and the side as well as front of the garage would be seen behind the small outbuilding. The holly trees in the hedge along the northern boundary of the site provide an effective year-round screen to the adjacent path. The hedges on the other boundaries of the site are dense but they are deciduous. From the west the extensions would appear within the silhouette of the existing building, but from the paths to the north-west and south-west of the site there would be glimpses in winter of them and the garage would be seen from all directions.

13. The purpose of designating an AONB is not to prevent all development within it but to subject proposals to special scrutiny to ensure that their design and external appearance would fit in with their surroundings particularly the landscape. The advice from the government on the re-use of redundant rural buildings and policies on new development in rural areas in the replacement Hertfordshire Structure Plan (1988), the Dacorum District Plan (1984) and its proposed review all emphasise the need for development to be sympathetic to its surroundings. The pumphouse is not an agricultural building but over the years it has mellowed into the rural landscape around it. I am satisfied that the scale of the extensions and the garage/workshop which your client proposes would change its appearance and character to such an extent that it would become an intrusive feature to the detriment of the landscape of this part of the AONB.

14. I have considered all the other matters raised. I note that the council's guidelines on extensions to dwellings in rural areas were withdrawn in 1989 and my attention was drawn to examples of other buildings in the AONB which have been converted and substantially extended or replaced with much larger dwellings, including one on Roe End Lane. Each case should be dealt with on its own merits, but in any event the circumstances in those cases appear to have been different, for example an existing dwelling on the site or the proximity of other housing. It was suggested that the conversion which has been allowed might not be economic and there was some speculation about what would happen to the site if the appeal were not allowed, but I am convinced that none of these, nor any other matters, are of sufficient weight to justify overriding my conclusion on the main issue.

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

I am Gentlemen  
Your obedient Servant



C R WAREHAM MRTPI  
Inspector

APPEARANCES

FOR THE APPELLANT

Mr D P Bromley FRICS

- Partner of Faulkners, Chartered Surveyors, 49 High Street, Kings Langley.

FOR THE PLANNING AUTHORITY

Miss N Pope

- Solicitor with Dacorum Borough Council.

She called:

Miss A Bochnacki BSc  
DipTP MRTPI

- Principal Planning Officer,  
Dacorum Borough Council.

DOCUMENTS

- Document 1 - List of persons present at the inquiry.
- Document 2 - Letter from the council notifying local people of the inquiry and list of people notified.
- Documents 3A-E - Appendices to proof of Mr Bromley.
- Document 4 - Report of South Lakeland District Council v Secretary of State for the Environment and another (1991).
- Document 5 - Appendix to proof of Miss Bochnacki.
- Document 6 - Conditions suggested by the council.
- Document 7 - Report of Coleshill and District Investment Co Ltd v Minister of Housing and Local Government and another (1969).
- Document 8 - Report to Development Control Committee, 27 April 1989.

PLANS

- Plans A 1 & 2 - Submitted with the application.
- Plans B 1-4 - Appendices to proof of Mr Bromley.
- Plan C - Appendix to proof of Miss Bochnacki.

PHOTOGRAPHS

Photos 1-13 - Appendices to proof of Mr Bromley.

Photos 14 - Showing tree now felled.

NORTHGATE  
DOCUMENTS  
TO  
BY

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Miss G D Van Rossum  
Markyate Cell  
Cell Park  
Markyate

Faulkners  
49 High Street  
Kings Langley  
Herts  
WD4 9HU

... CONVERSION OF PUMP HOUSE TO FORM DWELLING, TWO STOREY ...  
... REAR EXTENSION AND DETACHED GARAGE ...  
at THE PUMP HOUSE, FEVERALLS FARM, ROE END LANE, MARKYATE

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 ... 6 April 1990 ... and received with sufficient particulars on ... 10 April 1990 ... 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 adopted Dacorum District Plan shows the site to be within the Chilterns Area of Outstanding Natural Beauty wherein the policy of the local planning authority seeks to preserve the appearance of the area, encourage agriculture and conserve wildlife by the restriction of further development having particular regard to the siting, design and external appearance of buildings. The proposed development is unacceptable in the terms of this policy.
2. The proposed extensions will add to the bulk and mass of the building in an area where severe restrictions on building in the countryside apply. If large extensions are required to provide a satisfactory dwelling, the building is considered unsuitable for conversion.

Dated 21 day of June 1990

Signed *[Signature]*

Chief Planning Officer

## NOTE

1. 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 s.36 of the Town and Country Planning Act 1971, within six months of the date of this notice. (Appeals must be made on a form 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.
2. 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 Borough 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.
3. 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 s.169 of the Town and Country Planning Act 1971.