

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



## DACORUM BOROUGH COUNCIL

DD

To Mr R Simons  
The Cedars  
Pix Farm Lane  
Bourne End  
Herts

Derek W Rogers Dip.Arch.RIBA  
Church Square  
48 High Street  
Tring  
Herts

.....Change of use from barn to dwelling.....  
.....  
at The Old Stable, "The Cedars", Pix Farm Lane,  
.....  
..... Bourne End, Herts .....

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 .....13.6.90..... and received with sufficient particulars on .....14.6.90..... 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 Metropolitan Green Belt on the adopted Dacorum District Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use 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, by reason of the additional amount of building required, and its siting and prominence, is unacceptable in the terms of this policy.
2. The Borough Council is not satisfied that the building offers a suitable opportunity for conversion to a dwelling, bearing in mind its present condition, and its relationship with surrounding properties.

Dated .. Fifteenth .. day of .. August .. 19 90

Signed.....

Chief Planning Officer

SEE NOTES OVERLEAF

P/D.15

## 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.



# Planning Inspectorate

Department of the Environment

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Ack.	
Ref.	
C.P.O.	T.C.P.M.
D.P.	D.C.
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File	
Your reference:	
F.T/mw	
Our reference:	
T/APP/A1910/A/90/167591/P2	
Date:	
15 FEB 1991	
Received	
Comments	

F J Thompson & Co  
Town Planning Consultants  
Old Kings Arms  
30 Church Street  
RICKMANSWORTH  
Hertfordshire  
WD3 1DJ

Gentlemen

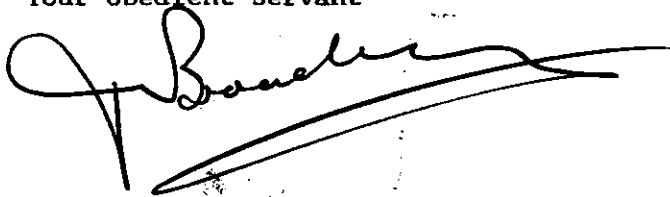
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR R SIMONS  
APPLICATION NO 4/0864/90

1. I have been appointed by the Secretary of State for the Environment to determine the above appeal. This appeal is against the decision of the Dacorum Borough Council to refuse planning permission for the conversion of a stable to form a dwelling with an integral garage, and including the reconstruction of the existing building's former first floor, all on land at The Cedars, Pix Farm Lane, Bourne End. I have considered the written representations made by you, and by the Council. I have considered those representations made to the Council when the matter was before them in the first place, and which have been copied to me. I inspected the site on 4 February 1991.
2. The stable is a brick-walled building within the designated area of the Metropolitan Green Belt. A primary aim of this green belt is to safeguard the countryside around London from further encroachment except in specified circumstances, none of which are argued in this appeal. Your client's project includes a substantial amount of new building to increase the present height of the stable, and hence the size of the building. My view is that this increased height and size would be a substantial encroachment into the green belt. Accordingly, I find that your client's project would be in severe conflict with a primary aim of the green belt. In these circumstances, I find that the main issue in this appeal is whether there is an argument sufficient to counter that conflict.
3. The stable presently has a roof made from corrugated sheeting (part iron, part asbestos, part plastic). I saw that the effect of this roof is to make the stable a very unattractive building which is visually very discordant neighbour to the traditional farm outbuildings which it adjoins. However, the project includes the removal of the corrugated roof, the erection of an additional storey on top of the present building, and the provision of pitched roof of the same height as, and designed to match those of the adjoining outbuildings. My view is that there would be an attractive resultant visual blend between the completed project and the nearby buildings. Hence, I find that the project would bring a substantial visual enhancement to the character of the locality.
4. However, it seems to me that the enlargement of the stable building and its conversion to a house are not the only way to achieve a visual enhancement of the group of buildings which includes the stable. Accordingly, I am of the opinion that the visual arguments are far from sufficient to counter the identified encroachment into the green belt.

5. I have considered all the other matters raised in the written representations, including that the stable building had a first floor several years ago, and that your client's project would reinstate that first floor. However, I find nothing of enough weight to alter my decision that this appeal should not succeed.

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

I am Gentlemen  
Your obedient Servant

A handwritten signature in black ink, appearing to read 'J.D. Broadley', with a long, sweeping horizontal line underneath it.

J.D.BROADLEY BSc, MEng, CEng, MICE, MStructE.  
Inspector.