

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL



Application Ref No. 4/1277/92

O Van Rossum
Markyate Cell
Markyate
Herts

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49 High Street
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DEVELOPMENT ADDRESS AND DESCRIPTION
=====

The Pump House, Feveralls Fm, Roe End Lane, Markyate

2 STOREY EXTN & CONVERSION OF PUMP HOUSE TO DWELLING, DEMOLITION OF RESERVOIR &
ERECTION OF DETACHED GARAGE

Your application for *full planning permission* dated 29.09.1992 and received on
06.10.1992 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 12.11.1992

(ENC Reasons and Notes)

REASONS FOR REFUSAL
OF APPLICATION: 4/1277/92

Date of Decision: 12.11.1992



REFUSED for the following reason:

The proposed extension together with the detached garage/store and driveway would change the appearance and character of the existing building and the site itself to such an extent that it would become an intrusive feature to the detriment of the landscape of this part of the Chilterns Area of Outstanding Natural Beauty.



The Planning Inspectorate

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

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PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL					
TOTAL	D.P.	D.C.	B.C.	Ack.	Our Ref:
Received				12 MAR 1993	
Comments				Date:	

DPB/JLB/4/12714

17/APP/A1910/A/92/215486/P4

11 MAR 1993

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY: O VAN ROSSUM
APPLICATION NO: 4/1277/92

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the Dacorum Borough Council to refuse planning permission in respect of an application for two-storey extension, demolition of reservoir and outbuilding and erection of a garage on land at The Pump House, Feveralls Farm, Roe End Lane, Markyate. I have considered the written representations made by you and by the Council and by one interested person and, at the application stage, by the Markyate Parish Council and other parties. I inspected the site on 8 February 1993.

2. The appeal site lies within the Chilterns Area of Outstanding Natural Beauty (AONB). Arising from this, and from the written representations and my inspection of the site and the surrounding area, I consider that the main issue in this case is the effect of the proposed development on the character and appearance of this part of the Chilterns AONB.

3. The site, a rectangular plot some 0.18 ha in extent, is in an isolated location roughly one quarter of a mile from the south-west edge of Markyate. It lies on a ridge amidst pleasant rolling countryside in agricultural use, the land to the north sloping down into a shallow valley. The site, a former waterworks, contains a disused covered reservoir and two redundant buildings, the Pump House and a small outbuilding just within its open eastern frontage, the remaining boundaries being defined by mature trees and hedgerows. Access to the land is by means of an unmade track some 150m long which connects it to Feveralls Farm to the south and then by a metalled private road to Roe End Lane.

4. At local level, the planning context for this area is provided by the policies of the approved Replacement Hertfordshire Structure Plan, the Dacorum District Plan



adopted in 1984, and the draft Dacorum Borough Local Plan. I note that this last Plan has superseded the District Plan for development control purposes. Although an emerging plan, it has, nevertheless, reached an advanced stage in its preparation, a public inquiry having been held in the summer of 1992. I propose, therefore, to attach significant weight to it in arriving at my decision.

5. Regarding the conversion and re-use of redundant buildings into which category the Pump House falls, Policy 99 of the draft Plan indicates that permission will be given provided, inter alia, that the building is worthy of retention and there would be no substantive change to its character and appearance. This is broadly in accordance with the advice contained in PPG7 ('The Countryside and the Rural Economy') which states, in paragraph 2.15, that there should generally be no reason for preventing the re-use or adaptation of agricultural and other rural buildings for new uses, provided their form, bulk and general design are in keeping with their surroundings.

6. Policy 20 of the draft Plan sets out criteria for extensions to buildings within the Borough's rural area. These include the need for these to be well related to the existing building, limited in size and not visually intrusive. On the question of development within an AONB, Policy 89 of the same Plan indicates that wherever development is permitted this will be on the basis of its satisfactory assimilation into the landscape.

7. There have been a number of previous planning applications relating to this site, 3 of which are of particular relevance to the present appeal. In 1989, permission was granted for the conversion of the Pump House to form a one-bedroomed dwelling (Ref 4/1560/89). 2 subsequent conversion schemes, which included extensions to the main building, were refused planning permission; in each case, the appeals which followed were dismissed (Refs T/APP/A1910/163643/P5 and T/APP/A1910/A/91/197329/P8). The first of these, hereafter referred to as Application A, incorporated a pair of two-storey extensions, projecting at either end from the rear of the present building, together with a garage/workshop on the site of the reservoir. In that case, the Inspector concluded that the overall effect of the works would be to overwhelm the distinctive appearance and simple character of the Pump House creating an intrusive feature to the detriment of this part of the AONB.

8. The second scheme, hereafter referred to as Application B, differed considerably from the first, the most significant changes being the deletion of the northern of the two-storey extensions and a revision to the profile of the southern one to give it the same roof pitch as the present building. However, the building would also have been extended at ground floor level along the remainder of its western, rear, elevation, these additions being flat-roofed. The Inspector

concluded that the proposals would constitute a substantive change in the character and appearance of the building and that, judged against the objectives of the draft Local Plan, the quality and character of the conversion would not justify the creation of a dwelling in this location.

9. The proposals now before me, which are based on Application B, retain the two-storey extension, but not the single-storey ones, of that scheme. Other than this, the main difference is that the present scheme incorporates a garage and workshop/garden store towards the south-west corner of the site. As with the Application A, the existing reservoir would be demolished. In its Written Representations the Council argues that while the present scheme has met some of the criticisms which had been levelled at the 2 previous ones, the proposed extension would, nevertheless, be a substantial one which, in combination with the proposed garage and driveway, would create an intrusive feature in the landscape.

10. The present Pump House is a long but relatively low and narrow structure. In my view, it is these proportions, together with the multiplicity of tall arched windows, which, to a large measure, give the building its present distinctive character. The proposed extension, which would incorporate the basic design features of the present building, would project some 5m beyond the existing rear elevation. However, given the length of the existing structure, which is some 16m, and the fact that the proposed new wing would lie to the rear of it, the extension would, in my view, appear as a subordinate feature to the main building whose present linear layout would continue to dominate. In this light, I consider that the character and appearance of the Pump House would suffer no substantive change. The existing building has been accepted by the Council as one which is worthy of retention, a conclusion with which I agree. For the above reasons, I do not consider that the relatively modest extension to it now proposed has significantly changed that case. In this light, it seems to me that the proposal meets the aims of the Council's policies on redundant buildings as set out in Policy 99 of the draft Local Plan.

11. Turning to the other elements of the scheme, I consider that the proposed garage and workshop/store would have little visual impact. In reaching this view, I have taken into account the relatively small scale of the building, the timber cladding to be used in its construction, and its location close to the tall hedgerow along the southern boundary to the site, against the background of which the building would, to some extent, visually merge. Also, the proposed drive, which would be of hoggin/stone with soft edging, would not, in my view, form a particularly conspicuous feature. Regarding the proposed demolition works, I note that the Council has raised no objection to the removal of the covered reservoir. On balance, I consider that the demolition of this structure, which has become something of an eyesore, would be of some net benefit to the area.

12. I turn now to the effect of the proposal on the AONB. At present, the main public vantage point is from the east, from footpath 18 which forms part of a network of paths linking Markyate with Roe End Lane. Seen from the footpath, across the site's open frontage, the extended building would appear largely as it does at present, the new wing being concealed behind it. From its junction with the track which runs along the eastern boundary to the site, the footpath continues in a westerly direction first flanking the northern boundary to the site. However, from that side, the site is very effectively screened by the holly trees within the existing hedgerow. During the winter months, the Pump House, as well as the reservoir, can be seen from the west through the existing line of trees. However, the extension would be seen within the silhouette of the existing building and would not, therefore, be very noticeable, in my view. I do not consider that any of the proposed development would, over the same months, be at all prominent when seen from the south given the thickness of the hedge along this boundary. Any such views from the south or the west would be obscured when the trees and hedgerows are in leaf.

13. In reaching my conclusion that, with appropriate conditions, the proposed development would have an insignificant effect on the character and appearance of the AONB, the natural beauty of which would be preserved, I have taken into account the decisions of my 2 colleagues to dismiss the previous appeals. However, it seems to me that the present scheme differs from the earlier ones by virtue of the reduced scale of the proposals, the impact of which I judge to be acceptable. While it bears some resemblance to Application B, the present plans do not include the long flat roofed side extension which my colleague felt would look incongruous. Also, while the scheme incorporates a separate garage, I believe that the visual benefit that would derive from the removal of the present reservoir would more than compensate for the impact, which I have judged to be small, that this new building would have.

14. I have also considered the Council's point that a 3-bedroomed dwelling as now proposed would generate significantly more activity, and therefore more disturbance within this countryside area, than would the one-bedroomed property for which it granted approval. However, it seems to me that any such additional impact would be limited and, in any case, could be alleviated by suitable boundary treatment along the eastern frontage to the site. I note that the Council has recently granted permission for such a scheme in connection with the approved conversion (Ref 4/1263/92). I have taken into account all of the other matters raised in the representations. However, neither these nor anything else before me are of sufficient weight to override my conclusion on the main issue.

15. Regarding the imposition of conditions on a grant of planning permission, I have taken into account those suggested

by the Council and the advice contained in Circular 1/85. Of the 9 suggested by the Council in addition to the standard time limit, I intend to impose conditions covering the materials to be used both for the buildings and the driveway (Nos 2,6), landscaping and boundary treatment (Nos 4,5,10) and the withdrawal of permitted development rights relating to extensions, garages and outbuildings (Nos 7,8). The conditions on materials and landscaping are intended to ensure that the new works are in keeping with the character of the existing building and that the development is assimilated into the landscape having regard to the aims of the AONB. The conditions on permitted development rights are also in accordance with those aims.

16. I am deleting condition 3 which deals with the long term protection of the existing trees on the site, in accordance with the advice of paragraph 75 of Circular 36/78 'Trees and Forestry' that tree preservation orders are available for this purpose. I am also deleting condition 9 which addresses the question of surfacing works to the access road, a requirement which I consider to be unnecessarily onerous, given the length involved, and unreasonable. Following the comments of the Council's Woodlands Officer I am, however, imposing an additional condition to secure a two rather than one metre separation between the garage and the southern boundary to the site. This is to avoid any harm to the root system to the hedge; you have indicated your acceptance of such a condition.

17. For the above reasons and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for two-storey extension, demolition of reservoir and outbuilding and erection of a garage on land at The Pump House, Feveralls Farm, Roe End Lane, Markyate in accordance with the terms of the application (No 4/1277/92) dated 29 September 1992 and the plans submitted therewith, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this letter.

2. Details/ samples of all materials to be used externally, including windows and doors and those to be used for the surfacing of the drive, shall be submitted to and approved by the local planning authority before the development is commenced.

3. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include details of the planting and other works to be carried out along the eastern boundary to the site, and indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

5. The garage hereby approved shall be located 2m from the southern boundary to the site but otherwise as shown on the approved plan.

6. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking and re-enacting that Order), no garages, sheds or outbuildings shall be erected [other than those expressly authorised by this permission] without the express written permission of the local planning authority.

7. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking and re-enacting that Order), there shall be no extension or addition to the dwelling hereby permitted without the express written permission of the local planning authority.

18. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the authority fail to give notice of their planning decision within the prescribed period.

19. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

I am Gentlemen
Your obedient Servant

C. J. Gossop.

DR C J GOSSOP BSc MA PhD MRTPI
Inspector