



Appeal Decision

Site visit made on 9 October 2024

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th October 2024

Appeal Ref: APP/A1910/W/24/3341865

Grove Farm, Puddephats Lane, Flamstead, Hertfordshire, AL3 8BA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Dr Tully against the decision of Dacorum Borough Council.
 - The application Ref is 23/02208/FUL.
 - The development proposed is part demolition and part conversion of existing building to create a dwelling with associated landscaping, and demolition of remaining farm building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In November 2023 Areas of Outstanding Natural Beauty were renamed National Landscapes. I have therefore used that term in this decision.

Main Issues

3. The main issues in determining this appeal are:
 - The effect of the proposed development on the character and appearance of the area,
 - Whether the appeal site is an acceptable location for residential development, having regard to local and national policies; and,
 - Whether it would make acceptable provision for the storage and collection of refuse and recycling.

Reasons

Character and appearance

4. The property is within the Chilterns National Landscape, and therefore I must have regard for the purpose of conserving and enhancing its natural beauty. This duty is reflected in policies CS24 and CS25 of the Dacorum Core Strategy 2006-2031 (the Core Strategy) which collectively require that the special qualities of the National Landscape be conserved, and that all development help conserve and enhance Dacorum's natural landscape. Policy CS7 of the Core Strategy further requires that, amongst other criteria, small-scale development have no significant impact on the character and appearance of the countryside. In addition, policy 97 of the council's Local Plan 1999-2011 (the Local Plan) states that in the Chilterns National Landscape the prime

planning consideration will be the conservation of the beauty of the area, and that development will be permitted on the basis of its satisfactory assimilation into the landscape. The National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes. It further states that these have the highest status of protection in relation to these issues.

5. The building occupies an elevated position relative to the farmyard, with a sloping access dropping down towards the yard and Puddephats Lane. The wider landscape is otherwise relatively flat, with the building being visually separated from those in the farmyard. The site appears as a cluster of agricultural buildings, appropriate in this rural landscape.
6. The development would retain the general form of that part of the building to be converted. The works involved would alter its appearance given the use of render and introduction of extensive glazing to all four walls, where at present no windows exist. Timber cladding and a corrugated metal roof would not by themselves appear out of place in this rural setting. However, the proposed development would appear as a single two-storey house significantly removed from any other building in the area. In this rural setting it would be an incongruous feature and would fail to conserve and enhance the natural beauty of the Chilterns National Landscape. Details of materials could be controlled by imposition of suitably worded conditions if I was minded to allow the appeal. However, this would not be sufficient to overcome the harm identified.
7. The development would involve the removal of an existing open barn and the open-sided section of the retained building. This would improve the openness of the site overall. Landscape improvements including wildflower planting are proposed and could be secured by condition. These would also help to improve the appearance of the development. However, they would not be sufficient to offset the incongruous appearance of the proposal.
8. I have considered the other permissions granted in Dacorum to which my attention has been drawn. Only limited information regarding the Tanpit Farm decision has been provided, however the Inspector in that case noted that the proposed changes would be for the better, and that the development would create a cluster of residential properties similar to others within the site's setting. The barn at Brown Springs Farm was considered to be relatively tightly located to the existing complex of buildings on the site, unlike the appeal proposal. The Cottingham Farm proposal was an evolution of a scheme granted prior approval, and the building was significantly closer to the farm complex than is the case here. The Pouchen End Farm and Greinan Farm conversions were granted prior approval, and therefore assessed against different criteria to the proposal before me. The Marston Gate Meadow development involved outline permission with all matters reserved being granted for a new dwelling in place of stables on a site in the Rural Area but not within the National Landscape. The North Red House Barn development saw full permission granted for a dwelling to replace existing stables, but that site is also not in the National Landscape. These developments each therefore differ significantly from the proposal before me. Accordingly, they only attract limited weight which does not outweigh the harm I have identified.

9. The appeal proposal would result in light spillage given the extensive glazing proposed. However, the existing building is in commercial use with no apparent restrictions on its hours of operation. On balance, the impact of light spillage from a single house would be minimal, especially as one side of the existing building comprises roller shutters that could be fully opened when the building is in use.
10. Nonetheless, the appeal proposal would be harmful to the character and appearance of the area. It would consequently conflict with the identified criteria of policies CS24, CS25 and CS7 of the Core Strategy, policy 97 of the Local Plan, and the Framework.

Location

11. Policies CS1 and CS7 of the Core Strategy collectively direct new development within the borough. They state that Hemel Hempstead is to be the focus of homes and that within the Rural Area only specified uses and small-scale development will be permitted. This includes the appropriate reuse of permanent, substantial buildings. The section of building proposed to be retained is of permanent construction and is used for storing scaffolding.
12. The Framework states that housing should be located where it will enhance or maintain the vitality of rural communities. It further states that isolated homes in the countryside should generally be avoided. However, the building is within sight of other buildings on the farm so it is not isolated. It is separated from Flamstead, but the Framework recognises that rural development can support local services. There is a farmhouse on the wider site, and other houses on Puddephat Lane close to the site access. While the proposed house would be set further away from Puddephat Lane than those existing houses, it would not otherwise be less well located than them.
13. As the proposal would involve the small-scale reuse of a permanent, substantial building it would therefore accord with policies CS1 and CS7 of the CS, and the requirements of the Framework relating to rural housing. The appeal site is therefore an acceptable location for the proposed development.

Refuse storage

14. The refuse and recycling collection point for Grove Farm is close to the access onto Puddephats Lane. The bin storage area is close to the collection point and would be shared with the proposed house. The council's Refuse Storage Guidance Note recommends no more than 25 metres between external storage and their collection point. In this instance occupiers of the proposed house would have to transport their refuse and recycling more than 300 metres to the collection point. However, as the storage area is close to the access onto Puddephats Lane residents would be able to transport their refuse and recycling when leaving the site.
15. This would not be an optimal solution. However, as part of the access to the proposed house is an unmade and sloping track use of the existing collection point would be acceptable in this instance. The appeal proposal would therefore, on balance, make acceptable provision for the storage and collection of refuse and recycling.

Other Matters

16. The site lies within the zone of influence of the Chilterns Beechwoods Special Area of Conservation (the SAC). If I had been minded to allow the appeal then as the competent authority I would have needed to carry out an appropriate assessment to determine if the appeal proposal would be likely to result in significant adverse impacts to the integrity of the SAC. However, as I am dismissing the appeal on other grounds, I do not need to consider this matter further.

Planning balance

17. The appeal proposal would cause harm to the character and appearance of the area, so would fail to conserve and enhance the natural beauty of the Chilterns National Landscape. While the council has a substantial shortfall in its supply of deliverable housing land, the application of policies in the Framework provide a clear reason for refusing the development proposed. The presumption in favour of sustainable development does not therefore apply.
18. Nevertheless, that substantial shortfall does add considerable weight to the benefit of delivering even a single new dwelling, which would support the government's objective of significantly boosting the supply of homes. Occupiers of the proposed house would support services in Flamstead. Given the shortfall, these benefits attract moderate weight in favour of the proposal.
19. However, great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes. This great weight outweighs the benefits that would arise from the appeal proposal in this instance.

Conclusion

20. The material considerations do not indicate that a decision should be made other than in accordance with the development plan. Therefore, the appeal is dismissed.

M Chalk

INSPECTOR