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# The Planning Inspectorate

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

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Chief Planning Officer  
Dacorum Borough Council  
Civic Centre  
Hemel Hempstead  
Herts.  
HP1 1HH

Your Ref:  
4/0478/96  
Our Ref:  
APP/A1910/A/96/274720

Date: 29 April 1997

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL BY MR N ROGERS  
SITE AT GUTTERIDGE FARM, IVY HOUSE LANE, BERKHAMSTED

I enclose a copy of our inspector's decision letter.

Yours faithfully

*N. Pearce*

*P.P* K PITCHERS

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ENC 1

PLANNING DEPARTMENT				
DACORUM BOROUGH COUNCIL				
Ref	22	20	EC	PRO
29 APR 1997				
Comments				



# The Planning Inspectorate

sjt

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Mr B Branwhite  
Brian Branwhite (Surveyors)  
PO Box 735  
TRING  
Hertfordshire  
HP23 5LH

Your Ref:  
3790  
Our Ref:  
T/APP/A1910/A/96/274720/P8

Date: 28 APR 1997

Re	TOWN AND COUNTRY PLANNING ACT 1990		
By	MR NEIL ROGERS		
At	TRING	HERTFORDSHIRE	HP23 5LH
On	30 APR 1997		
Comments	SECTION 78 AND SCHEDULE 6		

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990**  
**APPEAL BY MR NEIL ROGERS**  
**APPLICATION NO: 4/0478/96**

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal which is against the decision of the Dacorum Borough Council to refuse to approve details reserved by the outline planning permission No 4/0168/91 dated 23 May 1991 as varied by 4/0607/95 dated 21 June 1995 for farmhouse and farm office at Gutteridge Farm, Ivy House Lane, Berkhamsted. I have considered the written representations made by you and by the Council and also those made by the Nettleden with Potten End Parish Council and interested persons. I have also considered those representations made directly by interested persons to the Council which have been forwarded to me. I inspected the site on 19 March 1997.

2. Gutteridge Farm lies east of Berkhamsted on a south-facing valley side and is mainly bounded by Ivy House Lane on the western side and Bulbeggars Lane to the east. The farm buildings are grouped at the northernmost extremity of the land adjoining Ivy House Lane and close to a loose cluster of dwellings which are otherwise surrounded by open countryside. In the past previous owners have severed from the farm all dwellings on it and the holding now has no farmhouse.

3. Over the last few years several applications for a dwelling on or close to the present appeal site have been refused and two previous appeals dismissed. In 1990 outline planning permission was granted (reference 4/1992/89) for an agricultural worker's dwelling on the Ivy House Lane frontage, which involved resiting an existing dutch barn. Outline planning permission No 4/0168/91 was granted consent subject to conditions on 23 May 1991. This was for a farmhouse and attached farm office immediately south of the dutch barn and included the use of part of the barn as a domestic garage. The life of this permission was effectively extended in 1995 by planning permission No 4/0607/95. The present appeal

relates to an application for approval of reserved matters pursuant to outline approval No 4/0168/91 but on a reduced site area.

4. The appeal site lies within the Metropolitan Green Belt. National green belt policy as set out in Planning Policy Guidance Note 2 "Green Belts" of January 1995, paragraph 3.1, enshrines a general presumption against inappropriate development which should not be approved except in very special circumstances. However since this appeal relates to matters reserved for subsequent approval by a condition of a planning consent granted by the local planning authority the principle of development of an agricultural worker's dwelling is not at issue.

5. The appeal site also lies within the Chilterns Area of Outstanding Natural Beauty. The primary objective of designation of an AONB is conservation of the natural beauty of the landscape. Having read the representations and visited the site I consider that this case turns on the likely impact of the proposed development on the appearance and character of the area.

6. The Development Plan for this area comprises the Hertfordshire County Structure Plan Review approved in 1992 and the Dacorum Borough Local Plan adopted on 12 April 1995. I have been referred in particular to structure plan policies 1, 2, 47 and 48 and local plan policies 3, 8, 9, 22, 89 and 90 as being relevant to this case. Structure plan policy 1 and local plan policy 3 both echo national policy on development in a green belt. Structure plan policy 2 and local plan policies 89 and 90 relate to the Chilterns AONB and emphasise that the preservation of the beauty of the area is the prime consideration; local plan policy 90 adds that wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape and that where new building is necessary on an agricultural holding it should be located close to and integrated with existing complexes of farm buildings. Local plan policy 22 provides that any new agricultural worker's dwelling in the green belt should have only minimal impact on the amenity and character of the countryside. Structure plan policies 48 and 49 and local plan policies 8 and 9 all emphasise the desirability of good quality and environmental enhancement in development proposals. I am required to determine the appeal having regard to the provisions of the development plan and to make my decision in accordance with them unless material considerations indicate otherwise.

7. The Council submits that the detailed plans which are the subject of this appeal are for a house substantial in size, imposing in appearance, and with its longest elevation exposed towards the valley to the south, and that as such, on a reduced site and in a prominent position, the building would be out of scale and character with its rural surroundings and harmfully over-dominant in the landscape to the detriment of this part of the AONB. The Council maintains that the approved outline plan was considered to restrict to a minimum the impact on the countryside and that although siting and design were reserved for detailed approval it was envisaged that the detailed scheme would be along the lines of the outline approval.

8. You contend that the siting of the building shown on the approved outline plan is impractical, but that the building the details of which are the subject of this appeal is located on the approved site, is smaller in area and of lesser height than the approved sketch scheme, and would be built in natural materials and therefore could not be regarded as an intrusive

feature in the landscape. The appeal proposal, you submit, relates well to the main complex of farm buildings whilst enabling them to be efficiently used for agricultural purposes.

9. The appeal site is a roughly triangular parcel of land to the south of a substantial portal frame building and separated from it by an existing farm track. Adjoining the site to the west is the curtilage of a long-established wooden bungalow known as Oak's View. The south-eastern boundary is a continuation of the line of the south-eastern boundary of Oak's View with open agricultural land beyond. The appeal site is similar to that of the outline approval except that the area between the southern side of the farm track and the barn was formerly included together with the part of the barn indicated at outline stage for domestic garaging; the total reduction in site area is of the order of 25%. No part of the proposed development extends beyond the boundaries of the site to which the outline consent relates.

10. A building on this parcel of land will have fine panoramic views to the south, but also will be exposed to view from a wide area. A small number of mostly older houses are visible against a backdrop of trees along the valley crest behind this farm holding, and further west modern housing in Hunters Park is regrettably conspicuous in red brick, but from various more southerly vantage points the view towards the appeal site is predominantly open, rural and very attractive. I am in no doubt as to the desirability of maintaining its appearance and character. The dutch barn and the silo visible behind are tall and modern but obviously agricultural in function and not out of keeping with their setting. A residential building would not be in character and one which obscured views of them would therefore not necessarily benefit the landscape.

11. The approved outline application included a sketch scheme for a two-storey house and attached single storey farm office; the building, with its longer axis running north-south, was positioned across the farm track and close to the barn and presented a two-storey elevation 11 metres wide to the south. That scheme, which included a layout and section, was taken into account by the Council in reaching its decision, notwithstanding the reservation of all details for subsequent approval. You suggest that the Council's prime concern at that time was to achieve a suitable boundary between the proposed development and the fields to the south, a boundary to which you have adhered. Nonetheless it appears in the light of the long history of efforts to arrive at a satisfactory development here that the position and profile of the building were also significant considerations.

12. The details now submitted show a house comparable in floor area to that suggested in the outline submission, and slightly less in height. The south elevation, however, is about 14 metres long and the attached single storey garage and utility section at the side adds a further 8.5 metres to that length. The bungalow adjoining the appeal site is low and dark coloured and so inconspicuous in the landscape, whereas the building now proposed on the appeal site is taller and more imposing and even in similarly dark materials would because of its length and position be viewed partly against open land to the north-east. It would to my mind be significantly more conspicuous in the landscape than that envisaged when outline consent was granted. I am satisfied that because of its position and the length of its southerly elevation the appeal building would appear obtrusive and incongruous to the detriment of the natural beauty of this part of the AONB and contrary to the aims of the development plan policies mentioned.

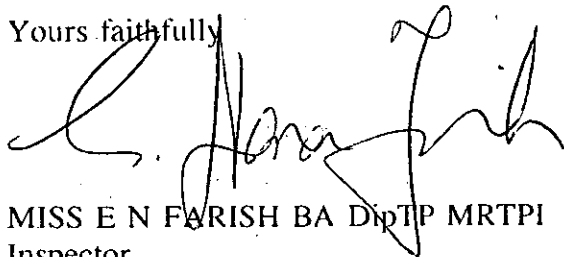
13. You suggest that the layout now proposed is more practical than that shown in the earlier sketch scheme. The dutch barn is open-sided with all-round access but the floor area is somewhat below the general level of the land on the north side. The section of farm track adjoining the appeal site is part of the vehicular circulation system within the farm building complex and also close to the Ivy House Lane end of a track which crosses and serves the major part of the farm holding. Particularly since the organisation of activity within the farmstead area is constrained by the levels, existing buildings and proximity to property boundaries, I accept your view that the closure of the track at this point would be likely to impede satisfactory manoeuvring of vehicles around the farm buildings and prevent off-loading along the length of the barn. I appreciate also that use of part of the barn for domestic garaging, particularly as indicated on the sketch scheme, would inhibit full and efficient agricultural use of that building.

14. I acknowledge that for these reasons the appeal proposals may well be more beneficial to the efficiency of the farming operation here. However, since the effect of reducing the site area available for the development whilst keeping the dwelling size broadly similar is to increase materially the impact of the new building on the landscape, as the conservation of the natural beauty of the landscape is the paramount consideration I am satisfied that the Council's decision in this case should stand.

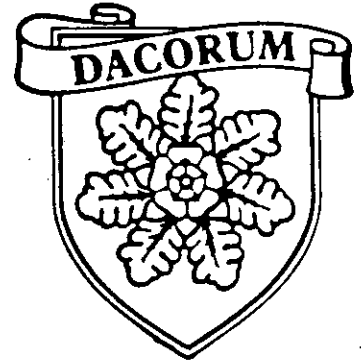
15. I have given careful consideration to the above and to all other matters raised in the representations received, including references to landscaping and your comments on the Council's handling of your client's proposals, but I have found nothing of such weight as to lead me to change my conclusion that for the reasons given the approval which the appellant seeks should not be granted.

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

Yours faithfully



MISS E N FARISH BA DipTP MRTPI  
Inspector



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/0478/96

Mr N Rogers  
Kilclooney Farm  
Hudnall Lane  
Little Gaddesden  
Herts

Brian Branwhite Surveyors,  
PO Box 735  
Tring  
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

Gutteridge Farm, Ivy House Lane, Berkhamsted

SUBMISSION OF DETAILS OF SITING, DESIGN, MEANS OF ACCESS AND LANDSCAPING PURSUANT TO CONDITION 1 OF PLANNING PERMISSION 4/0168/91 (FARM HOUSE AND FARM OFFICE)

Your application for *the approval of details or reserved matters* dated 28.03.1996 and received on 11.04.1996 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 12.07.1996

(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/0478/96

Date of Decision: 12.07.1996



The site lies within the Metropolitan Green Belt and the Chilterns Area of Outstanding Natural Beauty. The proposed siting and design of the dwellings will cause harm to the Green Belt and Area of Outstanding Natural Beauty due to the prominent location on the crest of the south facing slope of the valley. The proposal will be clearly visible in the local landscape and due to its size and siting will appear as an intrusive feature in this attractive landscape.