



# Department of the Environment

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Your reference

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T/APP/5252/A/76/2310/G5

Date

15 NOV 76

DACORUM

31/17 NOV 1976

SECRETARY'S DEPT

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MR C E J SAUNDERS  
APPLICATION NO:- 1173/75D

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for erection of an agricultural bungalow and garage on land adjoining Rose Farmhouse, The Common, Chipperfield. I held a local inquiry into the appeal on Tuesday 21 September 1976.

2. From the representations made at the Inquiry and from my inspection of the site and its surroundings I find that the determining issue in this case is whether or not the proposal would prejudice the preservation of a mainly open area which lies within the Metropolitan Green Belt and, if so, whether there are any special circumstances in this case which would justify allowing the proposal in this area of approved Green Belt.

3. For your client it was maintained that 2 permanent workers are necessary to run the 200 acre holding and that he and his son have been doing so since about 1959. The proposed bungalow would be occupied by the son who has been living in a caravan in the farmyard complex since he married 2 years ago. Suitable alternative accommodation for him is not available locally. Your client owns "Rose Farm Bungalow", one of the 2 semi-detached cottages adjacent to the farm, as the result of a family settlement following his mother's death last year, but that is tenanted and has been for the past 30 years. The only dwelling on the farm is "Rose Farm House" in which your client lives. His arthritis has deteriorated to a chronic condition but he still works on the farm, although the heavy work is now done by his son.

4. The nature of the livestock enterprise operated demands the full time attendance of someone resident on the farm, particularly for dealing with emergencies. The son's services are increasingly essential for this aspect of the business as well as for general farming duties, and while he wishes to continue this family farm his present accommodation is unsatisfactory, he cannot afford a property in the village and therefore he might be forced to find employment on another farm that had accommodation to offer if the proposal were not allowed. In these circumstances your client would have to give up his livestock and go over to cereal farming.

5. The local planning authority maintained that the person dealing with emergencies need not be resident on the farm and this was confirmed by appraisals carried out by the County Land Agent and the Ministry of Agriculture. During the time that the son had been working the appellant had disposed of his interest in one of the 2 cottages, "Rose Farm", now vacant, and this would have been suitable for the son. The fact that

this property, which had been the original farm house, had been severed from the farm 23 years ago did not justify permission for a new house now. The personal circumstances of the appellant were insufficient reason for overriding the planning objection to building in the Green Belt when only the existing dwelling on the farm was essential.

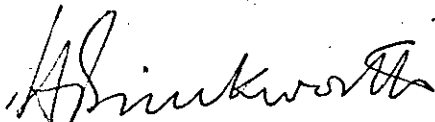
6. I find that the site is part of the farm unit beyond the limits of the village and mostly adjoined by open land. Any development there would therefore clearly conflict with the strong presumption against general development in the Metropolitan Green Belt of which it forms a part.

7. In these circumstances the proposal would only be justified if there were exceptional factors amounting to a need for the dwelling on agricultural grounds that would override the presumption against development. There is already a dwelling on the farm which is sufficient to accommodate an essential resident worker and while I appreciate the arguments put forward on your client's behalf that "Rose Farm" and "Rose Farm Bungalow" are not available and that the price of property in Chipperfield is beyond his son's means, I do not regard these factors to be strong enough to warrant the agricultural need for a second dwelling on the farm and therefore to erride the presumption.

8. I have considered the other matters raised, particularly the fact of your client's deteriorated health, but I do not regard them to be strong enough to outweigh my decision.

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

I am Gentlemen  
Your obedient Servant



H BRINKWORTH BA DipTP MRTPI  
Inspector