



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/1609/93

Mr C Webster  
Little Kingshill Lodge  
Kingshill Way  
Berkhamsted  
Herts  
HP4 3TP

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

Land adjacent to Little Kingshill Lodge, Kingshill Way, Berkhamsted

ERECTION OF DETACHED DWELLING (OUTLINE)

Your application for *outline planning permission* dated and received on 06.12.1993 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 27.01.1994

(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/1609/93

Date of Decision: 27.01.1994



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 is unacceptable in the terms of this policy.
2. The provision of an additional dwelling on this plot will seriously affect the spacious character of the site and the setting of the existing building.



# The Planning Inspectorate

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

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Received 16 MAY 1994 Date: 13 MAY 1994

Comments

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR AND MRS C WEBSTER  
APPLICATION NO: 4/1609/93

1. I have been appointed by the Secretary of State for the Environment to determine your clients' appeal. This is against the decision of the Dacorum Borough Council to refuse outline planning permission for the erection of a detached dwelling on land at Little Kingshill Lodge, Kingshill Way, Berkhamsted, Hertfordshire. I have considered the written representations made by you and by the Council, and I inspected the site on 18 April 1994.

2. The land is in the Metropolitan Green Belt, and from the evidence one main issue arises in the determination of the appeal. This is whether the proposed development is of an appropriate type in this location and, if not, whether there are any material considerations so special that they outweigh the strong presumption against inappropriate development within it.

3. The protection of Green Belts has long been an important part of national planning policy, and has recently been endorsed in Planning Policy Guidance (PPG) 2 published in January 1988. This sets out the objectives of this protection, which include the checking of the unrestricted sprawl of large built up areas and the safeguarding of the surrounding countryside from further encroachment. Some types of buildings, like those for agriculture, forestry, outdoor sports and cemeteries, may be appropriate in these especially protected areas, but approval should not be given for residential development except in very special circumstances. Policy Number 1 in the County Structure Plan Approved Alterations 1991, Policy 1 in the adopted (1984) Dacorum District Plan and Policy 3 in the Dacorum Borough Local Plan on which the Inspector has reported, are all in line with this national guidance. It is my view, therefore, that in the light of these policies the proposed dwelling would be an inappropriate type of development in the Green Belt.

4. The appeal site is part of the garden of Little Kingshill Lodge. Most boundaries contain trees and shrubs, and more planting could be carried out to increase the sense of seclusion. Owing, however, to the limited number of dwellings and other buildings on this side of the road, their ample settings and hence the feeling of spaciousness which prevails, the locality has a pronounced rural quality which in my opinion is well worth keeping. Similar considerations preclude treating the land as a potential infill plot.

5. Planning Policy Guidance 7 points out that the fact that a single house on a particular site in the countryside would be unobtrusive is not by itself a good argument for permitting it; it could be repeated too often. In this case, I consider that its very presence, and that of another residential curtilage, both more noticeable in the winter when there is less leaf cover, would result in a serious encroachment and intrusion into the rural scene, radically changing its character. In my judgement, this would cause the injury to the visual amenities of the Green Belt which national policy is designed to prevent.

6. The site could physically accommodate the size of dwelling which your clients have in mind, and I can appreciate that they would like to see this part of their garden made available for that purpose. I do not doubt that they would insist on good design and materials. These are not, however, considerations so special that they should outweigh the strong presumption against residential development in the Green Belt and the serious harm which in this instance would be caused to its rural character. The attachment of conditions would not overcome the basic objection to the proposal, and national and local policies should prevail.

7. I have examined all the other matters raised, including the continuing development of the more built-up residential area, not in the Green Belt, on the other, northern, side of Kingshill Way, and the change in character of this public highway since the opening of the Berkhamsted By-pass. But these are of less importance than the planning considerations which have led to my decision.

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

Yours faithfully

*Richard E Hollox*

RICHARD E HOLLOX BA(Hons) BSc(Econ) MPhil FRICS FRTPI  
Inspector