



Department of the Environment

Eastern Region

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Lawrence Toes Esq

Your reference

17 Collett Road

Our reference

APP/5252/A/76/3536

HEMEL HEMPSTEAD

Date

Hertfordshire

16 NOV 1976

Sir

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 36
APPEAL BY MR V G MASTERS
APPLICATION NO. 1891/75D

1. I am directed by the Secretary of State for the Environment to refer to your client's appeal against the decision of the Dacorum District Council to refuse planning permission for the erection of a bungalow on land adjacent to 'Kingsway', near Winkwell, Hemel Hempstead.
2. The written representations made in support of the appeal and those of the Council and other interested parties have been considered. An officer of the Department has visited the site.
3. The appeal site lies on the north-east side of the A41 trunk road near the village of Bourne End and about 2 miles west of the centre of Hemel Hempstead. It has a frontage to the road of some 400 ft, access being from the southern corner, and an area of about $1\frac{1}{2}$ acres. On the site are storage buildings, a greenhouse, a small chicken run, a shop and a caravan; part of the rest of the site is used for growing fruit and vegetables, and the remainder is under rough grass. To the west is a bungalow "Kingsway" set well back from the road, beyond which is a paddock; to the south is open country rising from the road; to the south-east is the access road to a fishing lake to the north of the site, with level fields beyond.
4. The Council object to your client's proposal on the grounds that the site lies within an area shown in the County Development Plan and the more recent Planning Objectives and Policies Document "Hertfordshire 1981" as of no notation wherein it is the policy of the Council to permit only such development as would be appropriate in the approved Green Belt. This policy is generally supported. Careful consideration has been given as to whether there are special circumstances which justify setting aside green belt policy in this instance. On the evidence before the Secretary of State however it is thought that although a bungalow located as indicated on the plan no. LT/242/1 submitted with the appeal would be screened to some extent by the slope of the ground on the site, it would nevertheless represent an undesirable extension into open countryside of development along the A41 trunk road east of Bourne End.

Moreover no reason is seen to dissent from the view of the Ministry of Agriculture, Fisheries and Food (MAFF) that the present usage of the site does not constitute a viable horticultural unit and is unlikely to become viable with the more intensive pattern of cultivation proposed by your client. There is also agreement with the MAFF and Council view that the nature and scale of the enterprise does not make it essential to provide a dwelling on the holding. These objections are regarded as overriding all the arguments submitted in support of the appeal and it has therefore been concluded that the Council's decision refusing permission should in the circumstances be upheld. In view of the strong planning objections it has not been thought necessary to form an opinion on the evidence on the traffic aspects of the proposal.

5. For the reasons given in the preceding paragraph the Secretary of State hereby dismisses your client's appeal.

I am Sir
Your obedient Servant

K W BEARE
Authorised by the Secretary of State
to sign in that behalf