



Department of the Environment
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Telephone 01-834 8540 ext 235

J K Wilson Esq.
Hollybush Wood
Potten End
BERKHAMSTED
Herts
HP4 2SH

Your reference

Our reference

T/APP/2142/A/74/3414 and 3229/G7

Date

16 JAN 75

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9

1. I have been appointed to determine the 2 appeals that you and your wife have entered against the decisions of the former Hemel Hempstead Rural District Council, acting on behalf of the Hertfordshire County Council, to refuse planning permission for residential development at Hollybush Wood, Potten End. I have considered the written representations made by you, the District Council and other interested persons; and I inspected the site on 20 November.

2. From my inspection of the site and its surroundings, and my consideration of the representations made, it appears to me that in each appeal the decision turns on how the proposed development would affect the character of the area.

3. The area is one that is, by direction of the Secretary of State, to be treated for the present as if it formed part of a green belt.

4. The appeal site is a wooded area on the north side of Water End Road on the outskirts of Potten End, a scattered village in which most of the houses are beside, or in groups with access from, a few roads which radiate from a central zone by the church, school and green. Water End Road is one such road. Along its south side, the built-up part of the village appears to me to end short of the bus depot, though there is a scatter of houses for more than a quarter of a mile beyond. On the north side of Water End Road, the built-up part of the village extends further eastwards but appears to me to end at a point about 100 yds east of the entry to Oliver's Close. Beyond that there are only 3 widely dispersed houses (including yours) and - some 400 yds away - the outlying group round Hollybush Close. The appeal site lies in a pleasant stretch of countryside, part wooded and part open; and, although Hollybush Close lies beyond, the appeal site is, in my opinion, outside the built-up part of the village and hence in a place where the policy relating to green belts requires that permission shall not be given, except in very special circumstances, for the construction of new buildings for purposes other than those appropriate to a rural area.

5. Neither of your proposals for development seems to be for any such purpose, and I do not find either acceptable as "infilling" on a substantially built-up frontage or because of any special circumstances brought to my notice in the written representations. To build even one house (and a fortiori to build more) would, in my opinion, conflict with the present policy for the protection of the countryside in that area and detract from its rural character to a degree that warrants permission for the development being withheld.

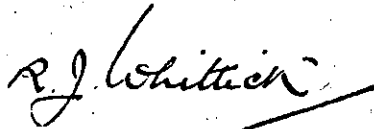
6. I have considered your appeal of 23 February 1974 (relating to your application of 18 June 1973 for permission to build one house) in the light of the planning permission given on appeal in 1960 for the construction of a service cottage in the grounds of Hollybush Wood. I have come to the conclusion, however, that the planning considerations that justified permission for a service cottage in 1960 do not now justify the construction of a new dwelling independent of the parent property.

7. I note that planning permission has been given in recent years for new houses within the built-up part of the village and among those in the pocket of development at Hollybush Close; but neither that nor any of the other matters raised in the written representations appears to me to be of sufficient strength to prevail over the considerations that have led me to my decision.

8. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss both your appeals.

I am Sir

Your obedient Servant



R J WHITTICK

Inspector



WEST-PLANNING OFFICE
 RECEIVED
 3-OCT 1960
 ACKD

MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitchall, LONDON, S.W.1

Telegrams: Locaplan, Parl, London

Telephone: VICTORIA 8540, ext.

Please address any reply to
 THE SECRETARY
 and quote: 2142/40620/107.
 Your reference: W/86-6 0.

31 AUG 1960

Sir,

Town and Country Planning Act, 1947: Section 16
Hollybush Wood House, Water End Lane, Potten End

I am directed by the Minister of Housing and Local Government to refer to your appeal under section 16 of the Town and Country Planning Act, 1947, against the decision of the Hemel Hempstead Rural District Council, acting on behalf of the Hertfordshire County Council, to refuse permission for the erection of a service cottage on land at Hollybush Wood House, Water End Lane, Potten End.

2. The Minister has had before him your written representations made in support of the appeal and those of the council. One of his Inspectors has visited the site.
3. The Minister notes that the site lies within a local green belt where, except in very special circumstances, only development for purposes appropriate to a rural area or a very limited amount of infilling in existing villages can be allowed. He agrees with and fully supports the policy of the local planning authority in preserving the green belt against unnecessary development. He notes, however, that the authority now accepts your need for a house to enable you to engage staff, but that they are unable to agree to the site which you proposed. Having regard to the existence of housing development on three sides of the curtilage of Hollybush Wood House, and to its position in relation to the village, the Minister has reached the conclusion that the erection of a house on the site proposed would not damage the green belt. He has therefore decided to allow the appeal and he hereby grants permission for the erection of a service cottage within the curtilage of Hollybush Wood House, Water End Lane, Potten End in the position indicated on the plan submitted with the application subject to the condition that the design and external appearance of the building shall be as may be agreed with the local planning authority or in default of agreement as shall be determined by the Minister.

This letter does not purport to convey any approval or consent which may be required under any other enactment (including any byelaws, orders or regulations) other than section 12 of the Town and Country Planning Act, 1947.

I am, Sir,
 Your obedient Servant,

(SGD) L. F. SAW.
 (L. F. SAW)

Authorised by the Minister to sign in that behalf.

J. K. Wilson, Esq.,
 Hollybush Wood House,
 Water End Lane,
 Potten End,
 near Berkhamsted,
 Hertfordshire.