
Appeal Decision

Site visit made on 8 October 2025

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 22 October 2025

Appeal Ref: APP/A1910/W/25/3369290

Land North End Of Cupid Green Lane, Hemel Hempstead, Hertfordshire HP2 6HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Stefan Skyba against the decision of Dacorum Borough Council.
 - The application Ref is 25/00261/FUL.
 - The development proposed is agricultural building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the interests of certainty, I have taken the site address in the banner above from the Decision Notice and added the postcode from the appeal form.
3. I have used the description of development as stated in the Decision Notice rather than the application form, as it states only the operative part of the development.
4. The site lies within the Green Belt. Paragraph 154 of the National Planning Policy Framework (Framework) states that development in the Green Belt is inappropriate unless one of a number of exceptions apply. Buildings for agriculture and forestry is listed as one of the exceptions. Accordingly, the proposal would not constitute inappropriate development.
5. The site lies adjacent to a National Landscape (NL). NLs are defined in the Framework as areas legally designated as areas of outstanding natural beauty under the National Parks and Access to the Countryside Act 1949 and Countryside and Rights of Way Act 2000. I have therefore referred to areas of outstanding beauty as NLs in my decision.
6. Section 85 of the Countryside and Rights of Way 2000 (as amended) sets out the statutory duty that a relevant authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. The Planning Practice Guidance clarifies that the duty is relevant in considering development proposals that are situated outside NL boundaries, but which might have an impact on their setting or protection. Given the close proximity of the site to the NL, I have had regard to this duty in my assessment.

Main Issue

7. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

8. The site is a rectangular plot of undeveloped grassed land. It therefore has a pleasant green character and appearance.
9. Adjacent to the site is a series of modest plots that are served by an access track and have a range of uses and associated buildings, hardstanding and paraphernalia. The group of plots together form a long rectangular area that projects into the surrounding open countryside from Cupid Green Lane.
10. The surrounding open countryside is located within Landscape Character Area 124; Gaddesden Row which is described in the Dacorum Landscape Character Assessment as having key characteristics including medium/large arable fields and open plateau topography. The area surrounding the site is consistent with this description and has an attractive open rural character and appearance.
11. The small plot sizes and proliferation of buildings and hardstanding in the developed areas adjacent to the site are uncharacteristic of the surrounding countryside. While a number of the nearby buildings benefit from planning permission, these reinforce the appearance of small plots. As such the adjacent plots detract from the attractive medium to large open fields and open topography that characterise this part of the countryside.
12. In contrast, the undeveloped grassed appearance of the appeal site provides a pleasant open green space between the adjacent areas of hardstanding and development. As such, it provides a positive contribution to the scenic beauty of the countryside and setting of the NL.
13. The proposed agricultural building would have a modest height while the footprint of the building would occupy the majority of the width of the site. The building would be clad in timber, and the proposal includes tree planting and the provision of bee hives. Therefore, the scheme would reflect the character and appearance of nearby larger agricultural buildings.
14. However, the proposal would be visible in long views from the open countryside to the south and west while views from the north and east would be limited by trees and vegetation. When viewed in this context, the building would exacerbate the proliferation of development in the wider strip of land which would further detract from the attractive character of the countryside. Moreover, the proposed building would emphasize the small scale of the plots which appear discordant against the adjacent medium and large arable fields that characterise this part of the NL.
15. Overall, the proposal would result in unacceptable harm to the character and appearance of the area and setting of the NL. Therefore, it would not further the purpose of conserving and enhancing the natural beauty of the NL.
16. Consequently, the proposal would harm the character and appearance of the area. Therefore, it would conflict with Policies CS1, CS10, CS24 and CS25 of the Core Strategy 2006-2031 Adopted 25 September 2013 (CS) which together seek to conserve and respect the rural and landscape character of the borough and conserve the special qualities of the NL.

Other Matters

17. I note the evidence regarding whether any permission granted would be subject of a condition relating to biodiversity net gain. However, as I am dismissing the appeal for other reasons, this matter has not altered my overall decision. I have taken biodiversity net gain into account in my planning balance.
18. I note the evidence regarding residential development. These are a different type of development, are on a larger scale and in a different location compared with the appeal site. In any event, further details of the circumstances of the cases are not before me to enable a direct comparison to be made with this appeal in terms of their effect on the character and appearance of the area.
19. I acknowledge concerns regarding the service provided by the Council. However, I have necessarily assessed the appeal on its planning merits.

Planning balance and Conclusion

20. The proposed building would be used for hydroponic vegetable production and the storage of vegetables, honey, beekeeping equipment and related tools. The proposal also includes beehives, wildflower parcels, raised garden beds, and the planting of trees. Given the modest scale of food production proposed and the limited scale of planting, the benefits in terms of agriculture, biodiversity net gain and soil quality would be limited.
21. The Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. Given the unacceptable harm to the character and appearance of the area identified above, the benefits do not override this harm.
22. For the reasons given above, the proposal would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu

INSPECTOR