

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No. ....

THE DISTRICT COUNCIL OF ..... DACORUM .....

IN THE COUNTY OF HERTFORD .....

J. Storer, Esq.,  
4 Pudds Cross Cottages,  
To BOVINGDON,  
Herts.

Dwelling  
.....  
.....  
at adjacent to 4 Pudds Cross Cottages, Leyhill Road,  
Bovingdon.  
.....

Brief  
description  
and location  
of proposed  
development.

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 25th February, 1981, ..... and received with sufficient particulars on 25th February, 1981, ..... and shown on the plan(s) accompanying such application..

The reasons for the Council's decision to refuse permission for the development are:—

The site lies within the Metropolitan Green Belt as defined in the Approved County Structure Plan wherein planning permission will only be given, whether for the construction of new buildings or the change of use or extension of existing buildings, for agricultural purposes, small scale facilities for participatory sport or recreation, or other uses appropriate to a rural area.

Dated ..... 9th ..... day of ..... April ..... 19 81 ...

Signed .....



Designation Chief Planning Officer.

#### NOTE

- (1) If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.
- (2) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Whitehall, London, S.W.1.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
- (3) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

*Handwritten signature*



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GTN 207

PLANNING DEPARTMENT  
DACORUM DISTRICT COUNCIL

Ref.	C.P.O.	D.P.	D.C.	B.C.	Ack.	Admin.	F.
	218	950					

Received 4 MAR 1982

You refer to

Our reference

Date

2 MAR 1982

CHIEF EXECUTIVE  
OFFICER

4 MAR 1982

File Ref. ....  
Refer to C.P.O.  
Cleared .....

Mr J E Turner ARICS, DipTP  
Flat 2  
14 Milton Avenue  
LONDON N6

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MR JOHN STORER  
APPLICATION NO:- 4/0251/81

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 the erection of a 2-storey detached house with integral garage on land adjoining 4 Pudds Cross Cottages, Leyhill Road, Bovington. I have considered the written representations made by you and by the council and also those made by other interested persons. I inspected the site on 13 January 1982.

2. The approved County Structure Plan for Hertfordshire extends the Metropolitan Green Belt to the north of Hemel Hempstead, the exact boundaries of which are to be defined by the now deposited Dacorum District Plan and include Pudds Cross. The policies of the Structure Plan, repeated in the District Plan, state that in the Green Belt permission will not be given except in very special circumstances for the construction of new buildings or for the change of use of existing buildings for purposes other than agriculture, small scale facilities for participatory sport and recreational or other uses appropriate to a rural area. No suggestion is made that the development is intended for one of these purposes and from my consideration of the representations and my site visit I am of the opinion that the main issue in this case is whether or not, bearing in mind the local planning policies, there are special circumstances sufficient to justify the erection of a dwelling in this location.

3. The appeal site is at the corner of Pocketsdell Lane, a bridle path, and Leyhill Road having a short terrace of 4 small houses on its south-western side and a detached bungalow approached from Pocketsdell Lane to the west. Pudds Close appears to be made up of several small scattered groups of houses and farms such as this set in farmland and woods well to the south of the main built up area of Bovington which is accurately depicted in the Proposals Map of the District Plan. The appeal site cannot to my mind be considered to be in the built-up area of Bovington nor yet in a separate settlement, the buildings being too dispersed. I recognise that the premises of the Bovington Brick Works, (and the other industrial and commercial development that has taken place and is proposed in connection with it) may appear incongruous in the Green Belt and is situated immediately to the north-east of the appeal site on the opposite side of Leyhill Road, but much of the site appears to be clay workings and the area nearest Pudds Cross is well wooded and much of its rural aspect has so far been maintained. I see no reason to think that the appeal site has been wrongly included in the proposed boundaries of the Green Belt.

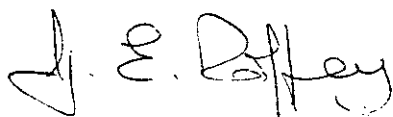
4. You mentioned specifically Development Control Policy Note No 4 and Circular 42/55 in so far as development in the Green Belt is concerned. Where one dwelling might not seriously endanger so broad an objective as to check the further spread of London or other towns, repeated on a sufficient scale the accumulated damage would be considerable and this danger underlies the general presumption against development other than for the specific activities of the Green Belt. As to whether the proposal might be regarded as infilling or rounding off in relation to this small group of dwellings I can see it as neither. For it to be rounding off there would need to be a compact settlement with a recognisable form to which the dwelling would relate but this is not the case and while the site might seem to fill the corner between the 4 cottages and Greenacres the proposed house would have more the appearance of an addition to the broken ribbon of development on the west side of Leyhill Road. Infilling in the usually accepted sense requires a relatively small undeveloped site within an otherwise developed frontage.

5. I have taken into account all of the matters raised in the written representations but find in them nothing to make me come to any other conclusion.

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

I am Sir

Your obedient Servant



G E ROFFEY MSc(Econ) DipTP MRTPI  
Inspector