

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

Town Planning

4/0315/75

Ref. No. ....

Other

479/75D

Ref. No. ....

**DACORUM**

THE DISTRICT COUNCIL OF .....

IN THE COUNTY OF HERTFORD .....

To **Croudace Limited,**  
**97 Godstone Road,**  
**Caterham,**  
**Surrey.**

**Residential Development.**

.....  
 .....  
 .....  
**off Station Road, Tring, Hertfordshire.**  
 at .....

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 **3rd April, 1975** and received with sufficient particulars on **10th April, 1975** and shown on the plan(s) accompanying such application..

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

1. **The form of development proposed would result in an excessive density on this particular site.**
2. **The access will be detrimental to the safety and free flow of traffic because the 12m x 12m visibility splays and 15m kerb radii on the southern access (previously required) have not been included.**

**NOTE: Reason No.2 imposed by direction of Highway Authority.**

**SEVENTH****MAY****75**

Dated ..... day of ..... 19 .....

  
**Director of Technical Services.**

Designation .....

## 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.



Department of the Environment  
Becket House Lambeth Palace Road London SE1 7ER

Telephone 01-928 7855 ext

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Croudace Ltd  
Croudace House  
97 Godstone Road  
CATERHAM  
Surrey  
CR3 6XQ

Your reference  
ENG/AJT/SMT  
Our reference  
T/APP/5252/A/75/9994/G7  
Date

30 MAR 1976

Gentlemen

TOWN AND COUNTRY PLANNING ACT, 1971 SECTION 36 SCHEDULE 9  
APPLICATION NO 4/0315/75

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 37 dwellings on about 3.2 acres of land at Station Road, Tring Station, Herts. I have considered the written representations made by you and by the council also those made by other interested persons, including the Aldbury Parish Council. I inspected the site on Monday 16 February 1976.
2. From my inspection of the site and its surroundings and the written representations made, I am of the opinion that the determining issue is whether the proposed development, by reason of density and the number of dwellings proposed, would adversely affect the character of the settlement of Tring Station.
3. The site comprises an area of disused allotments and old overgrown orchards with a frontage of about 490 ft and a depth of 290 ft on the west side of Station Road in the small detached settlement of Tring Station, which comprises about 30 dwellings and is adjacent to the main London (Euston)-Glasgow railway line, about  $1\frac{1}{2}$  miles east of the centre of Tring. Immediately opposite the appeal site is the Royal Hotel, a substantial 3-storey building with a courtyard and a terrace of 11 19th century cottages; west of the appeal site are a number of large detached houses, several of which are modern, interspersed with some older smaller dwellings and extending up to the Grand Union Canal, which marks the western boundary of this small settlement.
4. Outline planning permission for residential development was granted in 1971 following an appeal and permission was granted for the approval of details reserved by that outline permission for 19 dwellings, but outline permission was refused for 36 dwellings following an inquiry in 1974. In April 1975 the council granted planning permission for 21 dwellings.
5. The council's case seems to me to be based on two inconsistent arguments; firstly that a high density could be acceptable providing it reflects the character of the Royal Hotel and the terrace of cottages on the opposite side of Station Road and achieves a high quality of environment, required within the Chilterns Area of Outstanding Natural Beauty. The council feels this development does not reflect the character of the back of pavement cottages opposite or the more spacious development to the west and that development by means of an estate cul-de-sac would be out of keeping with the character of the settlement.
6. Secondly, the council argues that the number of houses proposed is large in relation to the size of the existing settlement as well as being out of character - a view strongly supported by the Aldbury Parish Council and local residents.

You have drawn my attention to the previous appeal when the Inspector concluded that the outline application for 36 dwellings resulted in a density which was much too high to be in keeping with the character of Tring Station. You point out that since that decision in September 1974, the Government has published Circular 24/75 which gave further evidence of the need to provide more housing for small households. Your scheme has been prepared in conjunction with the council's planning officer and is based on the recommendations contained in the Essex Design Guide.

8. I accept that as the site is in the Chilterns Area of Outstanding Natural Beauty special care is needed to ensure that the form of development is of a high standard. The application is in outline and the layout accompanying it is clearly indicated as not forming part of the application. Consequently many of the council's comments are directed at matters which are not before me. With this in mind, I am satisfied that if a density of 12 dwellings per acre is satisfactory, then the sketch layout, whatever shortcomings it may have, is sufficient to show that this number of dwellings could be accommodated. If such a density is appropriate, then I see merit in the council's argument that the proposed development should reflect the character of the 19th century Royal Hotel and railway cottages opposite; I cannot, however, see how a scheme could reflect this character and that of the spacious development to the west. Furthermore, the schemes approved for 19 and 21 dwellings both involve development by means of a cul-de-sac and I therefore see no objection to a small estate road as part of this development.

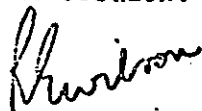
9. Since the previous decisions in September 1974, the Government has published Circular 24/75 drawing attention to the demand for smaller dwellings to cater for changes in the demographic pattern and the financial circumstances of first time buyers. While the lay-outs of the house types do not form part of your application, I note you propose a number of 3-bedroom 5 person units each with a floor area of just under 900 sq. ft. I have no doubt that such units will be well suited to first time buyers and I acknowledge this is an important consideration.

10. In my opinion the number of dwellings to be erected on this site must however, be compatible with the size and character of the existing settlement. The erection of 37 dwellings on this site would represent an increase of more than 100% in the number of dwellings in this small settlement and I consider that such a large number of dwellings would have a very considerable and harmful impact on the visual character of the settlement and would be out of character with it, particularly bearing in mind that it is situated within the Chilterns Area of Outstanding Natural Beauty and is dependent on services located outside the settlement and is served by an infrequent service.

11. I have considered all the other matters raised in the written representations but do not think they are sufficient to outweigh the considerations which have led me to my decision.

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

I am Gentlemen  
Your obedient Servant



R E WILSON BA DipTP MKTPFI  
Inspector