

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

.....

To B. Robinson Esq., Leslie Gear & Associates,
'The Birches', Barclays Bank Chambers,
Meggs Lane, Radlett,
Chipperfield, Herts.
Herts.

Double garage, store and stable

at 'The Birches'

..... Meggs Lane, Chipperfield.

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 18th February 1980 and received with sufficient particulars on 4th March 1980 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 site is within the Metropolitan Green Belt on the approved County Development Plan and in an area referred to in the approved County Structure Plan (1979), wherein permission will only be given 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 and recreation, or other uses appropriate to a rural area. The proposed development is unacceptable in the terms of this policy.

(2) The development proposed is, in the opinion of the Local Planning Authority, excessive on this plot and out of character with the domestic scale of other dwellings in the area.

Dated 14th day of April 1980

Signed.....

Designation .. Director .. of .. Technical
Services.

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

Room 1209

Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218 800

Switchboard 0272-218811

GTN 2074

EXECUTIVE

20 MAR 1981

R tel to

Cleared

Messrs Leslie Gear and Associates

The Studio

Common Road

Studham

DUNSTABLE

Beds

LU6 2NQ

Your reference

J/858/AUT

Our reference

T/APP/5252/A/80/12596/G10

Date

19 MAR 1981

Gentlemen

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

APPEAL BY MR B ROBINSON

APPLICATION NO:- 4/0343/80

002734

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 Double Garage, Store and Stable at "The Birches", Meggs Lane, Chipperfield. I have considered the written representations made by you, by the council, by the Chipperfield Parish Council and also those made by other interested persons. I inspected the site on 19 February 1981.

2. From my inspection and from the representations made I find that the main issue is the extent to which the proposed building would be inconsistent with Green Belt policy by reason of its size and situation, and its consequent impact upon the visual characteristics of an area in which it is the policy to retain a predominantly rural aspect.

3. I noted that there is at present a space between the house "The Birches" and the neighbouring house "Hillview" which provides a view from Meggs Lane over the open country to the north-east, and which is consequently a significant contribution to the rural aspect of Meggs Lane.

4. The intended situation and extent of the proposed building was indicated to me on the site by your client and was confirmed by the representative of the planning authority. In this situation the building would occupy almost half of the space between the 2 houses referred to above, would be close to and on much higher ground than the house "Hillview", and would project in front of the main front wall of that house.

5. I also noted the stable buildings at the north-eastern end of the site and the existing single garage, both of which your client said he would be willing to consider removing on completion of the proposed building.

6. Having considered all the other matters raised, I have decided that the erection of the proposed building in the situation indicated by your client, and as shown on your site plan, would have too detrimental an effect upon the visual characteristics of this part of Meggs Lane, in the following 3 respects: a. by occupying a substantial part of the space between "The Birches" and "Hillview" b. by being on higher ground than "Hillview" and c. by projecting forwards from the main front wall of "Hillview".

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

I am Gentlemen.
Your obedient Servant

D M Goodacre

D. M. GOODACRE RIBA MRTPI
Inspector