

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

Other

Ref. No. ....

THE DISTRICT COUNCIL OF DACORUM .....

IN THE COUNTY OF HERTFORD .....

To Mr G Double  
The Leas  
Buckland  
Nr Aylesbury  
DucksPayne Cullen Partnership  
101 High Street  
Tring  
Herts

One dwelling and access

at land off Langdon Street, Tring

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 1 April 1982 and received with sufficient particulars on 5 April 1982 and shown on the plan(s) accompanying such application.

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

The erection of a dwelling as proposed would be an undesirable form of development taking no account of the layout of surrounding residential properties.

Dated 27 day of May 1982Signed.....  
Chief Planning Officer  
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.



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Department of Transport

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Received 29 NOV 1982 7

Your reference JP/CJC 680

Our reference T/APP/5252/A/82/09034/G8

Date 29 NOV 1982

**RETURN TO MB  
FOR COMMITTEE  
REPORT**

Payne Cullen Partnership

101 High Street

TRING

Herts

HP23 4AB

CHIEF EXECUTIVE

OFFICER

29 NOV 1982

The Ref. ....

A reference .....

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY G DOUBLE  
APPLICATION NO:- 4/0396/82

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 one dwelling and access on land off Langdon Street, Tring. I inspected the site on 10 November 1982.
2. From my inspection of the site and its surroundings and consideration of the written representations made by you, by the Council and by interested persons I have concluded that the main issue to be decided in this case is whether the proposed development, if permitted, would contravene, to an unacceptable extent, the principles of current good planning; and in particular would be detrimental to the existing amenities enjoyed by the nearby residents.
3. It is agreed by the Council that the appeal site is large enough to accommodate the single dwelling proposed and that furthermore the site is situated in an area designated for residential development. The Council explains however that their refusal to permit the development is made on the grounds that it is an unsatisfactory form of sporadic development ill-related to the "existing well defined layout of the surrounding buildings". The Council have also listed in their evidence the universally accepted reasons why "backland" development is regarded as unsatisfactory. In this case they consider that, if permitted, the development proposed would create a dangerous precedent for other similar developments in the District which in the past have been successfully resisted.
4. The proposed development does not in fact conform precisely to the normally accepted definition of "backland" development (ie development behind an existing dwelling and sharing an access with it). Nevertheless it does seem to me to possess, at least in part, some of the unsatisfactory features and disadvantages of such development. The dwelling on the appeal site would clearly lie in the backland area of the existing dwellings in Langdon Street and the existing amenities presently enjoyed by the occupants of those properties could not fail to be affected. In particular, although Nos 51 and 52 are widely spaced there would be some disturbance and loss of privacy from the additional traffic which would be generated by the appeal proposal along the access road passing between them. There are also, I consider, 3 other factors which would result from the proposed development which are not entirely acceptable; the likely disturbance of mature trees, the relatively small private amenity areas proposed for any future occupants of the proposed dwelling, and the uneconomic provision of public services such as refuse disposal, postal deliveries etc along a lengthy access road serving one dwelling only.

5. Thus in all the circumstances of this case my judgement is that there is nothing in the evidence before me which should lead me reasonably to conclude that the Council's decision should be reversed. To permit the appeal development would I believe be detrimental to the existing amenities presently enjoyed by the nearby residents and in particular would in total contravene the principles of current good planning to an unacceptable extent.

6. I have taken into account all the other matters raised in the written representations made but none outweigh the considerations which have led to my conclusion.

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

A handwritten signature in dark ink, appearing to read 'F R Martin', with a horizontal line underneath.

F R MARTIN BSc CEng FICE FISTructE  
Inspector