

Town Planning 4/0405/85
Ref. No.

Other
Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To Mr. R. Powell
Justa Farm
Little Heath Road
Potten End
Berkhamsted
Herts.

Project Design
Oxford House Studio
23 West Wycombe Road
High Wycombe
Bucks.

One dwelling, double garage and stabling
Justa Farm, Little Heath Lane, Potten End, at Berkhamsted, Herts.

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 permit the development proposed by you in your application dated 26th February 1985 and received with sufficient particulars on 1st April 1985 and shown on the plan(s) accompanying such application, subject to the following conditions:—

~~(1) x The development to which this permission relates shall be begun within a period of x x x x years commencing on the date of this notice x~~

- (1) The development to which this permission relates shall be begun within a period of three years and six months commencing on the date of this notice.
- (2) The dwelling hereby permitted shall not be occupied otherwise than by a person solely or mainly employed or last employed locally in agriculture as defined in s.290 (1) of the Town and Country Planning Act 1971 or in forestry and dependants, widow, or widower, of such person.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:—

~~(1) To comply with the requirements of Section 41 of the Town & Country Planning Act 1971.~~

- (1) To enable the local planning authority to retain control over the development which is permitted only to meet the specific agricultural circumstances of the applicant.
- (2) The site is within an area where policies adopted by the local planning authority are to permit only development which is essential for agricultural or allied purposes.
- (3) To ensure the proper use of the development.
- (4) To ensure satisfactory appearance.
- (5) To maintain and enhance visual amenity.
- (6) The present permission is an alternative and not additional to the previous permissions.

Dated.....16th.....day of.....May.....19.....85

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, Marsham Street, 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 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 Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, 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.

116 MAY 1985

4/0405/85. ONE DWELLING, DOUBLE GARAGE AND STABLING.
JUSTA FARM, LITTLE HEATH LANE, POTTEN END.
APPLICANT: MR R POWELL

DESCRIPTION - In February 1982, outline planning permission was granted for one dwelling and garage on this farm, and in November 1982 full planning permission was granted for a farmhouse, stables and access. The design of the farmhouse was somewhat unconventional, consisting of an A-frame surrounded by a landscaped bank. The present proposal is for a more traditional design, although it retains something of the barn-like qualities of the original. The ground floor is of brick and the upper floor is contained within the roof space, with boarded gabled ends. The gables are hipped, and the roof is to be covered in asbestos cement slates. The accommodation to be provided is very similar to the earlier proposal, with a living room, dining room, family room, kitchen and farm office on the ground floor, with three bedrooms and two bathrooms above. The proposed development is on the same site as the 1982 proposal.

POLICIES

County Structure Plan : Metropolitan Green Belt; Policy 1
Dacorum District Plan : Policy 1

REPRESENTATIONS

Nettleden-with-Potten End : Observations awaited
Parish Council

CONSIDERATIONS - The present proposal is for a more traditional design than that previously permitted, and I can see no objection, subject to similar conditions as those previously imposed. The planning permission granted in November 1982 will not expire until November 1987; in order that the agricultural need for a dwelling can be investigated further at this stage should the development not be carried out before this date, I consider that any fresh planning permission should be subject to a condition requiring the development to be commenced before November 1987.

✓ RECOMMENDATION - That planning permission be GRANTED (on form DC3) subject to the following conditions:-

- (1) The development to which this permission relates shall be begun within a period of 3 years and six months commencing on the date of this notice.
- (2) The dwelling hereby permitted shall not be occupied otherwise than by a person solely or mainly employed or last employed locally in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971 or in forestry and dependents, widow or widower of such person.

- (3) The stables and garage hereby permitted shall be used for domestic purposes only incidental to the enjoyment of the dwelling within the same curtilage and for no other purpose.
- (4) No work shall be started on the development hereby permitted until details of materials to be used externally shall have been submitted to, and approved by, the local planning authority, and the development hereby permitted shall be carried out in the materials so approved.
- (5) The details of earth banks and landscaping shown on plan 4/0405/85 shall be implemented not later than the end of the first planting season following the first rateable occupation of the dwelling hereby permitted.
- (6) The permission hereby granted is an alternative to and not in addition to, either wholly or in part, the following permissions:-

<u>Ref No</u>	<u>Development</u>	<u>Date of Permission</u>
4/1392/81	One dwelling and Garage	4th February 1985
4/1140/82	Farmhouses, stables and access	11th November 1982

No part of the development referred to in those permissions shall be carried out if any part of the development hereby permitted has been carried out, and if any part of the development referred to in these permissions is carried out the development hereby permitted shall not be carried out and this permission shall become of no effect.

Dated 16th day of May 1985

Signed



Designation CHIEF PLANNING OFFICER