

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

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To E. J. Waterhouse & Sons Limited  
Kings Works  
Kings Lane  
Chipperfield

Hooper Skillen Associates  
National Westminster Bank Chambers  
84 Watling Street  
Radlett WD7 7AB

..... Erection of 4 houses, garages and access road  
..... (Outline)  
.....  
at ..... Land at 82 Vicarage Lane & 99 Langley Hill,  
..... Kings Langley.  
.....

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 ..... 6th April 1983 ..... and received with sufficient particulars on ..... 21st April 1983 amended 30th June 1983 ..... and shown on the plan(s) accompanying such application.

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

- (1) In the opinion of the local planning authority, the density of development proposed is excessive and unwarranted in this location, and would if permitted result in a form of development out of character with the general pattern of housing in the area.
- (2) The proposal constitutes an undesirable form of backland development, resulting in new dwellings sited in poor relationship with existing properties.
- (3) The proposed access to Vicarage Lane is unsuitable and would give rise to conditions of danger and obstruction to users of the highway.
- (4) The development would prove severely injurious to the residential amenity of adjoining and nearby dwellings.

Dated ..... 21st ..... day of ..... July ..... 19 ..... 83.

Signed .....  .....

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, Tollgate House, Moulton Street, Bristol, BS2 9DJ). 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 and Department of Transport

Common Services

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GTN 2074

4/0527/83

CHIEF EXECUTIVE  
OFFICER

20 JUN 1984

File Ref.

Refer to

Cleared

CFO 20/6

E J Waterhouse and Sons Limited  
Kings Works  
Kings Lane  
CHIPPERFIELD  
Herts  
WD4 9ER

PLANNING DEPARTMENT  
DACORUM DISTRICT COUNCIL  
M/JW/PL

9653

Ref.

Our reference

Ack.

C.P.O.

D.P.

Date

Admin

File

T/APP/A1910/A/84/10931/P6

18 JUN 1984

Received

20 JUN 84

Comments

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPLICATION NO:- 4/0527/83

1. I have been appointed by the Secretary of State for the Environment to determine your appeal. Your appeal is against the decision of the Dacorum District Council, to refuse planning permission for the erection of 3 houses and garages and the creation of an access road on land at No 82 Vicarage Lane and No 99 Langley Hill, Kings Langley. I have considered the written representations made by you, by the District Council, by the Kings Langley Parish Council and by interested persons. I inspected the site on 22 May 1984.

2. From my inspection of the site and surroundings and the representations made, it appears to me that the principal factors to be taken into account in determining this appeal are first the policy of the Secretary of State for the Environment as set out in paragraph 3 of Annex A to Circular 22/80 that in the absence of evidence of an identified 5-year supply of land for private house building, there should be a clear presumption in favour of house building; secondly whether there are clear planning objections relating to the effect of your proposal on the character of the area and adjoining properties which outweigh this presumption; and thirdly whether the proposed access would be satisfactory.

3. The appeal site is an area of about 0.46 acre in the rear gardens of No 82 Vicarage Lane and No 99 Langley Hill. An access road would pass between the houses at Nos 82 and 84 in the garden of No 82. The appeal site lies in the midst of an area of long gardens of houses which front onto Vicarage Lane and onto 2 stretches of Vicarage Hill which lie at approximately right angles to each other. The Council state that within an area of 8.25 acres immediately surrounding the site are 30 dwellings giving an overall density of less than 4 dwellings to the acre. The houses fronting onto this part of Vicarage Lane and Vicarage Hill are mostly quite large modern houses. Those fronting onto this part of Vicarage Lane face Kings Langley Common and the point of access falls within the Kings Langley Conservation Area whose boundary also comes within 20 m of the southern boundary of the site. The gardens of No 82 Vicarage Lane and No 99 Langley Hill have a lot of shrubs and trees, mostly ornamental, and other gardens in the vicinity appear to be similar in character. Houses on the appeal site would, therefore, be likely to be quite well screened, at any rate in summer. Although your appeal relates only to 3 houses, the plans you have submitted show these laid out in a way which would allow further development and it seems probable, if your appeal is allowed, that there would in due course be extensive further development of this backland to the east.

4. The Council has provided no evidence about the availability of housebuilding land in the area, and in accordance with Circular 22/80, in the absence of such evidence, there is a presumption in favour of housebuilding except where there are clear planning objections. Such objections are not in this case specified in the Structure and District Plans for the appeal site is in an area allocated for primarily residential purposes and Kings Langley is itself a "specified" settlement in the Green Belt. In my view, however, there are very strong objections to your proposals for relatively high density residential development in the back gardens of these attractive, mostly modern houses which would almost certainly lead to a general deterioration of the area, notwithstanding that the new houses would, at any rate in summer, be quite well screened. I am reinforced in this view by the nature of the proposed access. This would require the destruction of a lot of shrubs and mostly ornamental trees; it would lie directly abutting the boundary of No 84 Vicarage Lane and would be close to the house at No 82; and the long access road, with a carriageway of 4.8 m width, while it would allow 2 carefully driven cars to pass, could well lead to cars waiting in Vicarage Lane - which is a busy road, particularly at peak times - if a larger vehicle were leaving or entering.

5. I note the other examples of infilling in the neighbourhood to which you have drawn attention but these do not appear to me to be sufficiently similar to your proposal to outweigh the strong objections that I see to it. I have therefore concluded that your appeal should not be allowed. I have considered all the other matters raised in the written representations but find nothing of sufficient weight to affect my decision.

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

I am Gentlemen  
Your obedient Servant

*W C Knox*

W C KNOX BA  
Inspector