

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF **DACORUM**

IN THE COUNTY OF HERTFORD

.....

To Mrs. G. P. Creed,
Mosshall Farm,
Little Gaddesden,
NR. BERKHAMSTED,
Herts.

Messrs. Faulkners,
49 High Street,
KINGS LANGLEY,
Herts.

..... Garage and store

.....

at Mosshall Farm, Ringshall, Little Gaddesden.

.....

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 23rd April, 1979, and received with sufficient particulars on 24th April, 1979. and shown on the plan(s) accompanying such application..

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

The proposed building would have an adverse effect on amenities and being designed for permanent retention would be an inappropriate form of development, having regard to the temporary permission for the mobile home unit within the same curtilage.

Dated 6th day of June, 19 79...

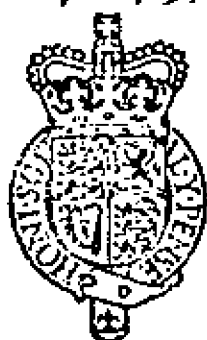
Signed.


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.

C/173/17.3



Department of the Environment

Room 1309

Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218 863

Switchboard 0272-218811

Mrs C P Creed
Mosshall Farm
Little Gaddesden
BERKHAMSTED
Herts

TECHNICAL SERVICES DEPT.	
PLANNING SECTION	
28 MAR 1980	
FILE	DATE
No.	

Your reference

Our reference

T/AFP/5252/A/79/10324/G9

Date

26 MAR 1980

Madam

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO:- 4/0577/79

1. I refer to your appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the erection of a feedstore, workshop, garage building on land at Mosshall Farm, Little Gaddesden. I have considered the written representations made by you and by the council and also those made by Little Gaddesden Parish Council and interested persons. I inspected the site on Tuesday 11 March 1980.
2. From my inspection of the site and surroundings and the representations made, I am of the opinion that the decision in this case is primarily dependent upon whether or not the erection of the proposed building would conflict with the approved policy of preventing new building in the countryside unless it is essential for agriculture or another rural use.
3. Your mobile home is the subject of a limited period planning consent, which was given on appeal, following a previous refusal of permission for the erection of a permanent dwelling in October 1977, because of the doubtful future viability of your farm holding. Your farm continues in operation, with the aid of the open-fronted barn on the site at the time of your appeal, but there is no new evidence to indicate a likelihood of the permanent viability of the holding.
4. The proposed new building would be of permanent construction, and from the drawings it appears that while part of it would be utilised for the storage of feeding stuffs for the farm stock, it would be basically a domestic garage. In the absence of evidence to indicate the likely permanent viability of the farm, whereby the grant of permission for the erection of a permanent dwelling on the holding would be justified, I am of the opinion that the intended garage would conflict with the policy of preventing new building in the countryside. The food storage element in the intended use would be slight, and I see no compelling reason why the farm's needs should not be met either by a small addition or modification to the barn, or by the erection of a temporary building which, in the event of the failure of the farm enterprise, could readily be removed together with the mobile home. I conclude that the appeal should fail.
5. I have considered the other points raised in the representations and I find them of insufficient weight to affect my decision. Nevertheless, I am concerned to ensure that the implications of the decision and the reasons for it are clear, and I should therefore point out, that while any further submissions must necessarily be a matter for consideration by the planning authority, if as a result of experience and progress in the operation of the farm, you find yourself, either now or at a future time, able

to demonstrate that the holding is, and is likely to continue to be, a sound and viable enterprise, it would be open to you to put forward your evidence in support of a new application for outline planning permission for the erection of a permanent dwelling and/or ancillary buildings, notwithstanding the fact that, having incurred the expense of erecting the mobile dwelling now on the land, you might not wish to incur the expense of building a new permanent dwelling for some time.

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

I am Madam
Your obedient Servant

R. Woodford

R WOODFORD DipTP MRTPI
Inspector