

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other 598/74D
Ref. No.

THE DISTRICT COUNCIL OF DACORUM
 IN THE COUNTY OF HERTFORD

To Mrs. N. Bareham,
 243 Watford Road,
 Croxley Green,
 Rickmansworth,
 Herts.

Agent: Mr. H. A. Hunt,
 Architect,
 10 Park Avenue,
 Watford,
 Herts.

..... dwelling

at site of Freemans Cafe, Old Watling Street,
 Flamstead.

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 31st May 1974 and received with sufficient particulars on 6th June 1974 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 an area shown on the County Development Plan as 'No Notation' where it is the policy of the Local Planning Authority not to allow development unless it is required for agricultural or other special purposes - no justification has been submitted in this case.

Dated 26th day of September 19 74

Signed *S. J. Darby*
 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
Caxton House Tothill Street London SW1H 9LZ

Telephone 01-834 8540 ext 616

Mr H A Hunt ARIBA
Chartered Architect
10 Park Avenue
WATFORD
Herts

Your reference

Our reference

APP/5252/A/74/12645

Date

30 JUL 1975

598.74D.

Sir

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 36
APPEAL BY MRS N BAREHAM
APPLICATION NO 4/593/74

1. I am directed by the Secretary of State for the Environment to refer to your client's appeal against the decision of Dacorum District Council to refuse planning permission for the erection of a bungalow and garage at Freeman's Cafe, Old Watling Street, Flamstead.
2. The written representations made in support of the appeal together with those of the Council and other interested parties have been considered. An officer of the Department has visited the site.
3. The overgrown site which fronts the north-east side of the A5 trunk road lies about $\frac{1}{2}$ mile north-east of the village of Flamstead in a rural area mainly in agricultural use. There is a small group of houses to the north-west of the site; to the south-east is a public house, with commercial and industrial buildings beyond. The site is otherwise surrounded by countryside.
4. On the evidence the view is taken that the proposed development, while it would probably be inconspicuous, would nevertheless constitute an undesirable extension of the small group of dwellings to the north-west from which the appeal site is separated by a line of tall trees which is considered to form a natural boundary to the existing housing. The site is moreover thought to be a useful buffer between this housing and the industrial premises to the south-east. Also the wider area within which the site lies is one of generally open countryside where green belt policy currently applies. In these circumstances and since it is not considered that any essential need for the proposed development has been demonstrated the conclusion reached is that the Council's decision refusing permission should be upheld. All the other matters raised in the evidence - including the highway issues - have been taken into account but are not regarded as outweighing the considerations mentioned above.
5. For the foregoing reasons the Secretary of State hereby dismisses the appeal.

I am Sir
Your obedient Servant

E J FUDGE
Authorised by the Secretary of State
to sign in that behalf