

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

MR



DACORUM BOROUGH COUNCIL

To F Titmus, M Swain, W Rayment
c/o W Rayment
Easden House
Potten End
Berkhamsted

Fuller Hall & Foulsham (Hemel Hempstead)
81a Marlowes
Hemel Hempstead

.....Three shops, six flats, Doctor's Surgery and.....
.....car parking area (outline).....
at Land at Church Road/Vicarage Road, Potten End

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 29.3.89 and received with sufficient particulars on 3.4.89 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 the Metropolitan Green Belt on the adopted Dacorum District Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use of existing buildings for agricultural or other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. In the opinion of the local planning authority, no such need has been justified for extra shop units and extra dwelling units on the site and the proposed development is unacceptable in the terms of this policy.
2. The proposal is not supported by sufficient evidence of local need to satisfy Policies 4 and 5 of the adopted Dacorum District Plan.

Dated day of 19

Signed.....
Wm Barnard

SEE NOTES OVERLEAF

P/D.15

Chief Planning Officer

NOTE

1. 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 s.36 of the Town and Country Planning Act 1971, within six months of the date of this notice. (Appeals must be made on a form obtainable from the Secretary of State for the Environment, Tollgate House, Houlton 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.
2. 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 Borough 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.
3. 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 s.169 of the Town and Country Planning Act 1971.

3. The access to the site from Vicarage Road is sub-standard in width and unsuitable for the additional traffic which is likely to be generated. Consequently, its increased use is likely to give rise to conditions prejudicial to highways safety.
4. The layout of the car parking areas on the west and south sides of the site is such that insufficient space is left in front of spaces Nos 1 to 10 and 15 to 18 inclusive (as shown on Plan 4/0602/89, Drawing 4129/SK2/A), to enable the manoeuvring of vehicles. The remaining workable parking area is consequently inadequate to meet standards adopted by the local planning authority.
5. The design of the proposed development appears urban and bulky in character and is well below the standard expected by the local planning authority for this important corner site in the centre of the village of Potten End.
6. The submitted plans indicated an excessive amount of hard surfacing around the proposed buildings which is urban in character and unwarranted in this rural village location. The amount of space dedicated to landscaping is below the standard expected by the local planning authority for this site.
7. The proposed balconies as shown on the submitted plans are likely to give rise to overlooking of adjacent dwellings.
8. There is insufficient amenity space to serve the proposed flats.

Dated 19 day of December

1989

Signed



Chief Planning Officer