

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

AJP

## DACORUM BOROUGH COUNCIL

To Mr A G Baars  
'Longdeans'  
Chipperfield Road  
Bovingdon  
Herts

Mr G Massey  
22 Hivings Park  
Chesham  
Bucks  
HP5 2LF

..... Chalet Bungalow (Outline) .....  
.....  
at ... Longdeans, Chipperfield Road, Bovingdon .....  
.....

Brief  
description  
and location  
of proposed  
development.

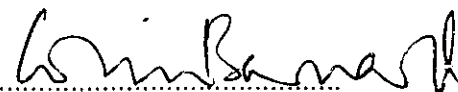
In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated ..... 1st May 1986 ..... and received with sufficient particulars on ..... 2nd May 1986 ..... and shown on the plan(s) accompanying such application.

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

The site is within the Metropolitan Green Belt on the County Structure Plan and 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 agriculture or other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. No such overriding need has been proved and the development is unacceptable in terms of this policy.

Dated ..... 26th ..... day of ..... June ..... 19 .. 86.

Signed .....



Chief Planning Officer

SEE NOTES OVERLEAF

P/D.15

#### 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 receipt 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.

cm



**Department of the Environment and  
Department of Transport**

Common Services

Room 1417 Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

19375

**CHIEF EXECUTIVE  
OFFICER**

10 FEB 1987

File ref. ....

Notes CPO 10/2

Share

COUNCIL

Direct line 0272-218 927

Switchboard 0272-218811

AU. GTN 2074

G Massey Esq  
22 Hivings Park  
CHESHAM  
Bucks  
HP5 2LF

U.	DP	DC	SC	Admin.	File	Your reference
Received 10 FEB 1987				Our reference		
Comments				T/APP/A1910/A/86/54570/P2		
				Date		

11 MB  
JCB  
- 9 FEB 87 3 RB  
4 JCB

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MR A G BAARS  
APPLICATION NO: 4/0631/86

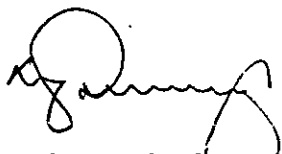
1. The Secretary of State for the Environment has appointed me to determine your client's appeal. This appeal is against the decision of Lacorum Borough Council to refuse planning permission for the erection of a chalet bungalow on land at Longdeans, Chipperfield Road, Bovington. I have considered the representations made by you and by the council and I inspected the site on Monday 10 November 1986, when I also visited the sites to which you drew my attention at Bovington Lodge and Long Lane, Bovington.
2. From my inspection and the representations made I am of the opinion that the main issue to be decided is whether there is sufficient reason to permit the development as an exception to green belt policy.
3. The appeal site is part of the garden of a bungalow almost totally concealed from public view by fencing, hedges and trees. This dwelling stands between a house on the corner of Flaunden Lane and a long line of closely ordered houses along Chipperfield Road. There is a farm opposite. Other houses are dotted intermittently towards Bovington and Chipperfield but the essence of the surroundings to the site is open countryside.
4. There is no dispute that the site is within the green belt. In such locations the planning objections to inappropriate development are well documented and the government's commitment to green belt protection has been re-affirmed in Circular 14/84. It is national policy to conserve the rural qualities of the countryside by avoiding increases to its built up appearance. Strict adherence to this principle is even more important in the green belt in order to maintain the open form of the land and to safeguard its character.
5. Your client's contention is that the project would involve acceptable infilling without compromising the aims and objectives of the green belt. But this is not one of the exceptional considerations provided for in the structure plan or the district plan, and although it might involve infilling in its usually understood sense, Development Control Policy Note No. 4 makes it clear that permission is not normally given for dwellings in the open country, even where there are already a few scattered buildings.
6. It is clear to me that the scheme would require the removal of some of the trees to facilitate access and the siting of the new bungalow and thereby diminish the rural character of the locality; and disturb the repose of the surroundings by

introducing an additional building. Taking these factors into account I am drawn to the conclusion that there are no exceptional circumstances here which override the green belt presumption against the erection of the dwelling.

7. I have carefully considered all the other matters raised in the representations, including the decisions and developments you have mentioned but none of them are more important than those leading to my decision.

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

I am Sir  
Your obedient Servant

A handwritten signature in black ink, appearing to read 'Tony Pickering', with a large, stylized initial 'T' and a long, sweeping horizontal stroke.

TONY PICKERING FRTP FRICS  
Inspector