

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

Other

Ref. No. ....

THE DISTRICT COUNCIL OF **DACORUM** .....

IN THE COUNTY OF HERTFORD .....

.....

To H. Seabrook, Esq.,  
The Cottage,  
Tenaments Farm,  
CHIPPERFIELD,  
Herts.

Co-ordinated Building Consultancy,  
The Old School House,  
Hunton Bridge,  
KINGS LANGLEY,  
Herts.

<p>Erection of detached garage.</p> <p>.....</p> <p>.....</p> <p>at The Cottage,</p> <p>Tenaments Farm, CHIPPERFIELD.</p> <p>.....</p>
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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 **27th March, 1979** ..... and received with sufficient particulars on **10th July, 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 site is within the Metropolitan Green Belt on the County Development Plan and similarly shown on the submitted County Structure Plan where there is a presumption against further development unless it is essential in connection with agricultural or other special local needs - no such justification has been submitted or appears to exist for this proposal which would warrant departure from this principle particularly having regard to the location and proposed facilities shown on the submitted drawings.

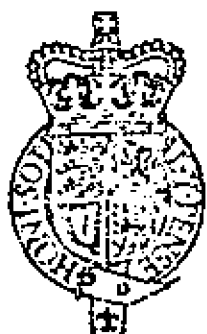
Dated **22nd** ..... day of **August** ..... 19 **79** .....

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.



# Department of the Environment

Room 1421

Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218 950  
Switchboard 0272-218811  
GTN 2074

1) ~~Mr R. J. Hill~~, 2) ~~T. J. Hill~~, 3) ~~Mr Hill~~,  
4) Team 1  
Return for Cttee  
Rept 131/7/80

Mr G W Day CEng MStructE AM BIM  
Co-ordinated Building Consultancy  
Old School House  
Bridge Road  
Hunton Bridge  
KINGS LANGLEY Herts

TECHNICAL SERVICES DEPT	
PLANNING SECTION	
10 JUL 1980	
FILE No.	

Your reference  
GWD/AA/430  
Our reference  
T/APP/5252/A/80/339/G5  
Date  
10 JUL 1980

Sir

TOWN AND COUNTRY PLANNING ACT 1971 SECTION 36 AND SCHEDULE 9  
APPEAL BY MR P SEABROOK  
LOCAL PLANNING AUTHORITY APPLICATION NO:- 4/0958/79

1. I refer to this 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 garage and workshop at The Cottage, Tenaments Farm, Chipperfield. I have considered the written representations made by you and by the council and also those made by the Chipperfield Parish Council.
2. I inspected the site on 9 June 1980 and observed that the proposed 2-storey garage and workshop was to be located in an area of waste ground outside the present curtilage of your client's house as defined by a line of mature conifer trees. I noted that separate driveway access from the narrow rough track known as Tenament's Lane which is a public footpath, had been constructed to the site of the proposed garage and workshop. I understand that your client is a building contractor and in this connection observed that part of the paddock immediately to the north of the site of the proposed garage and workshop was used at the time of my visit for storing various building materials. I noted in addition that your client's house already has garaging facilities available to it in a large barn attached to his house which was served by a separate access from Tenament's Lane to that to the proposed garage and workshop.
3. From my inspection of the site together with its surroundings, and the representations made, I am of the opinion that a decision in this case turns primarily on whether or not the reasons you put forward are sufficient to justify an exception being made to the presumption against general building development in the approved Metropolitan Green Belt.
4. As a starting point I have considered the proposed development against the background of the policies of the approved Structure Plan for Hertfordshire and the general purposes of the approved Metropolitan Green Belt. The purposes of the latter are broadly to prevent urban sprawl and to protect the countryside from encroachment by buildings. In this connection I find no reason to question the policy of the local planning authority to retain and protect the existing rural character of the area. I consider the very substantial garage proposed in the application before me, protruding into the paddock at the rear of your client's house, would present an alien and obtrusive feature when viewed from the open countryside to the north notwithstanding the fact that half timbering is to be incorporated in the gable ends to match your client's house.

5. On the question of the reasons you put forward for requiring the proposed garage and workshop I am not persuaded that these are sufficient on agricultural or any other grounds to justify an exception being made to the presumption against general building development in the Metropolitan Green Belt. In particular I am not satisfied that the garaging and workshop facilities, which seem to me adequate for at least 3 cars, are required as an adjunct to the normal domestic use of your client's house which already appears to me to have sufficient parking and garaging facilities available for a normal dwelling.

6. I have considered all the other matters raised in the written representations but am of the opinion that they are not of sufficient strength to outweigh the considerations that have led to my decision.

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

I am Sir

Your obedient Servant



W D WOODALL FRICS FRTPI  
Inspector