

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To R. Gurney, Esq.
9 The Back
Potten End
Herts.

D. Wilson, Esq., BA., FRICS.
27 Hall Park
Berkhamsted
Herts. HP4 2NU.

One dwelling (Outline)

at Spring Farm, Nettleden Road, Frithsden, Herts.

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 23 May 1988 and received with sufficient particulars on 31 May 1988 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. No such need has been proven and the proposed development is unacceptable in the terms of this policy.
2. The adopted Dacorum District Plan shows the site to be within the Chilterns Area of Outstanding Natural Beauty wherein the policy of the local planning authority seeks to preserve the appearance of the area, encourage agriculture and conserve wildlife by the restriction of further development having particular regard to the siting, design and external appearance of buildings. The proposed development is unacceptable in the terms of this policy.
3. The increased use of the access which is sub-standard in visibility is likely to give rise to conditions prejudicial to highway safety.

Dated ... 11th ... day of ... August ... 19 88

Signed

Wm Barnard

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.

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17 February 1992

A/A 4/1014/88/JPS/CA
Mr J P Smith
2577

Mr R Gurney
9 The Back
Potten End
BERKHAMSTED
Herts

Dear Mr Gurney

TOWN AND COUNTRY PLANNING ACT 1990

I refer to our meeting at Spring Farm, Nettleden Road, Frithsden, on Tuesday, 11 February 1992.

The infilling of land which is being carried out between your stables and Nettleden Road is considered to be an engineering operation requiring the grant of planning permission.

Enclosed are the necessary application forms; six copies of both site and location plans are required, together with a fee of £55.00. Would you please ensure that the details of proposed landscaping are included on the plans and state whether any use is proposed for the land.

Yours sincerely



MR J P SMITH
ENFORCEMENT OFFICER
PLANNING DEPARTMENT

Encs

the adjacent paddock. However, there is no evidence to suggest that a dwelling must essentially be positioned either for this purpose or in this location, or why there should be a departure from strict Green Belt Policy.

The access onto Nettleden Road is also a matter of some concern. Although an existing gateway provides access to the stables and paddock it would be inadequate to accommodate regular traffic flows resulting from the proposed development. Visibility sight lines to the west are very limited and an increased use of the access would give rise to conditions prejudicial to highway safety.

✓ RECOMMENDATION - That planning permission be REFUSED (on form DC4) for the following reasons:-

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. No such need has been proven and the proposed development is unacceptable in the terms of this policy.
2. The adopted Dacorum District Plan shows the site to be within the Chilterns Area of Outstanding Natural Beauty wherein the policy of the local planning authority seeks to preserve the appearance of the area, encourage agriculture and conserve wildlife by the restriction of further development having particular regard to the siting, design and external appearance of buildings. The proposed development is unacceptable in the terms of this policy.
3. The increased use of the access which is substandard in visibility is likely to give rise to conditions prejudicial to highway safety.

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