

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr M Tomlinson
Sunnymead
Tring Road
Long Marston

Brian Branwhite Surveyors
Barclays Bank Chambers
65 High Street
Tring
Herts HP23 4AD

Two dwellings and garages (outline)
at 'Sunnymead', Tring Road, Long Marston.

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
..... 1. June 1988 and received with sufficient particulars on
..... 3. June 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 a rural area beyond the 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 application site is beyond the defined core of the village of Long Marston and its development would not be compatible with the maintenance or enhancement of the character of the settlement in accordance with the County Structure Plan 1986 Review.
3. The proposal would further urbanise the area and consolidate linear development to the detriment of the environment of the locality.

Dated 11 day of .. August 1988

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.

Department of the Environment and Department of Transport



Common Services

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CHIEF EXECUTIVE
OFFICER

20 APR 1989

 File no.
 Ref to ... *CPO 20/4* ...
 Clearing ...

Mr B Branwhite
Barclays Bank Chambers
65 High Street
TRING
Herts
HP23 4AD

Your reference

BB/-3341

Outreference

DAT/APP/A1910/A/88/103886/P4

Date

19 APR 89

CPO, TCPM, OP

Received

20 APR 1989

Comments

36 AND SCHEDULE 9

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION
APPEAL BY MR M TOMLINSON
APPLICATION NO: 4/1047/88

1. I have been appointed by the Secretary of State for the Environment to determine your client's appeal against the decision of the Dacorum Borough Council to refuse outline planning permission for the erection of 2 detached dwellings with garages on land at Sunnymead, Tring Road, Long Marston, Near Tring. I have considered the written representations made by you and by the Council and also those made directly by the Tring Rural Parish Council to the Council which have been forwarded to me. I inspected the site on 16 March 1989.
2. From my inspection of the appeal site and its surroundings and from the written representations made I have decided that the issue in this appeal is the effect of the development on the character of Long Marston.
3. The approved County Structure Plan Review provides that in rural areas beyond the Green Belt settlements may be selected in local plans where development can be permitted, subject to this also being compatible with the character of the settlement and consistent with other Structure Plan Policies. In the adopted District Local Plan Long Marston has been identified as suitable for small-scale development within its main core in accordance with the Structure Plan Policy. The District Plan also includes additional limitations designed to restrict growth to the rate necessary for the needs of the rural part of the District but the Council say that these are not relevant because of the greater flexibility in the Structure Plan Review.
4. On my site visit I saw that Long Marston is a small predominantly linear village within open countryside. Sunnymead is a large detached house fronting Tring Road with an extensive garden on each side of the building where the 2 detached dwellings would be erected. To the north-west of the appeal site there are houses and bungalows on both sides of Tring Road which form part of the main core of the village. The boundary of the last bungalow on the opposite side of the road is a short distance beyond the corresponding boundary of Sunnymead but not so far as the mid-point of the more northerly plot. Beyond this bungalow opposite the appeal site and extending in an easterly direction is open countryside. Beyond Sunnymead on the same side of Tring Road there is a moderate mainly open gap beyond which are 2 pairs of semi-detached houses, these being partly screened by trees and hedges. There is open countryside behind the appeal site to the south-west and to the south-east of the semi-detached houses.
5. Coming from the centre of Long Marston towards the appeal site, in my opinion a distinct change in the character of the settlement occurs next to the appeal site.

To the north-west there is virtually a continuous line of buildings. From this point there is a change to a rural character because of the presence of the open land on the north-east side of the road and the wide gaps on each side of Sunnymead. This change is important to the character of Long Marston as a village in the countryside, which would in my opinion be harmed by the consolidation of built development proposed. Furthermore because of the change in the character of the settlement at this point, I do not regard the proposal as infilling or rounding-off, which would only be the case if the appeal site was seen as part of the built-up frontage of the village. I also consider that if the appeal were allowed it would be difficult to resist pressure for development of the land south-east of the appeal site in the direction of the semi-detached houses and on the opposite side of the road, which would add to the harm to the character of the settlement and extend building into the countryside.

6. All the other matters raised in the representations have been taken into account but none is of sufficient importance to affect 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

David Baldock

DAVID BALDOCK MA DipTP DMS MRTPI
Inspector