

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

L. Hicks, Esq.,
'Greenways'
Barnes Lane
To Kings Langley
Herts.

Messrs. Stimpsons Planning and Architecture
14A St. Albans Road
Watford
Herts. WD1 1RX.

Erection of three detached dwellings (Outline)

at 'Greenways', Barnes Lane, Kings Langley, 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 17 June 1988 and received with sufficient particulars on 20 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:—

The proposed development constitutes an overdevelopment of the site by introducing house plots of a size and layout that is out of keeping with the general character of dwellings in the area and which would be contrary to the objective of maintaining and enhancing the character of the village.

Dated 29th day of September 19 88

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.

CONSIDERATIONS - Despite the reservations expressed by the Parish Council and local residents the site is of such size as to provide three plots of reasonable size, and in view of recent developments of similar density in the vicinity there is no objection in principle to the development. There must however, be some concern over the formation of two additional accesses to Barnes Lane - which is very narrow at this point - and it is essential that the best possible visibility should be provided.

RECOMMENDATION - That planning permission be ~~GRANTED~~ ^{REFUSE} (on form DC2) subject to the following conditions:

1. The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, design, landscaping and external appearance of the building(s) and means of access thereto which shall have been approved by the local planning authority or in default of agreement by the Secretary of State.
2. Application for approval in respect of all matters reserved in condition 1 above shall be made to the local planning authority within a period of three years commencing on the date of this notice and the development to which this permission relates shall be begun not later than whichever is the later of the following dates:
 - (i) The expiration of a period of five years commencing on the date of this notice.
 - (ii) The expiration of a period of two years commencing on the date upon which final approval is given by the local planning authority or by the Secretary of State or, in the case of approval given on different dates, the final approval by the local planning authority or the Secretary of State.
3. Sight lines of 2.4 m x 35 m shall be provided in each direction within which there shall be no obstruction to visibility between 600 mm and 2.0 m above carriageway level.
4. Each house proposed shall be provided with a turning head in conformity with Table E of the Hertfordshire County Council Specification "Residential Roads in Hertfordshire" and the development shall not be brought into use until properly consolidated and surfaced turning spaces shall have been provided.

* * *

Dev. constitutes overdevelopment etc



Planning Inspectorate

Department of the Environment

Room 1023

Telex 449321

PLANNING DEPARTMENT Tollgate House, Houlton Street, Bristol BS2 9DJ DACORUM BOROUGH COUNCIL							
Ref.		Direct Line		0272-28698		0272-28811	
C.P.O.	T.C.P.M.	D.P.	D.C.	J.C.	GTN Admin.	1374	File
			✓				
Received 15 MAR 1989							
Comments				Your reference			
15 MAR 1989				4/1176/88			
File Ref.				Our reference			
200 103				APP 1/1910/1/89 118680			
Refer to				Date			
				13-3-89			
Cleared							

CHIEF EXECUTIVE 28715
DACORUM BC
CIVIC CENTRE
HEMEL HEMPSTEAD
HERTS. HP1 1HH

Dear Sir/Madam

THE TOWN AND COUNTRY PLANNING (APPEALS) (WRITTEN REPRESENTATIONS PROCEDURE)
REGULATIONS 1987

APPEAL BY: Mr L Hicks

RE: SITE AT 'Greenways', Barnes Lane, Kings Langley, Herts

1. I refer to the above appeal to the Secretary of State. The appeal form and accompanying documents are now being checked to see that all is in order. Unless you hear from us to the contrary you may assume that the appeal is valid.

2. The appellant has chosen the written method. Unless you tell us otherwise, we will assume that the Council do not wish to exercise their right to be heard. As you know, if the Council agree to the written procedure, they are required, in accordance with the Regulations, to:-

i. notify - within 5 working days - those interested persons who were required to be consulted on the original planning application, and all those who made representations at application stage, that an appeal has been made. (The letter should include the information and details required by the Regulations to be notified. The Council will wish to decide on the precise form of notification but Annex B to DOE Circular 11/87 gives a suggested format. Interested persons should be advised that if they wish to receive a copy of the appeal decision letter, they must write direct to the Inspectorate asking for one.)

ii. complete - within 14 days of the "starting date" - an appeal questionnaire in respect of this appeal and send it to the Inspectorate, together with all the necessary enclosures; and send a copy of the appeal questionnaire and enclosures direct to the appellant or agent. (Please ensure that the Inspectorate's reference number given above is quoted and that all the relevant documents are attached.)

3. Any representations received by us from interested persons will be copied to you and the appellant. Any comments you wish to make on them should be sent to me, and copied to the appellant, within 7 days. Please avoid long exchanges of correspondence which can considerably delay the decision.

4. The Council will wish to decide whether or not to submit a further written statement. In most cases the relevant background documents submitted with the appeal questionnaire, together with a simple index of these documents, will be sufficient to present the Council's case. If it is considered necessary to submit a further statement, the concise format suggested in Appendix 1 to DOE Circular 18/86 should be used. Any such further statement must be sent to the Inspectorate within 28 days of the "starting date". A copy must also be sent direct to the appellant or agent.

5. Arrangements will be made for the Inspector to visit the site as soon as possible. You will be sent details.

6. DOE Circular 11/87 sets out the timetable for appeals determined by the written procedure and I am sure that you will do all you can to keep within the timetable. Please note that, having drawn attention to the timetable, the Inspectorate does not send reminders to councils or appellants about the submission of documents. I know you will appreciate that where documents have not been submitted, and the site visit has taken place, the Inspector will have to proceed to a decision if it is considered that sufficient information is available.

7. I am the case officer dealing with this appeal. Please send any further correspondence to me at the above address, quoting in full the Inspectorate's reference number given above.

Yours faithfully

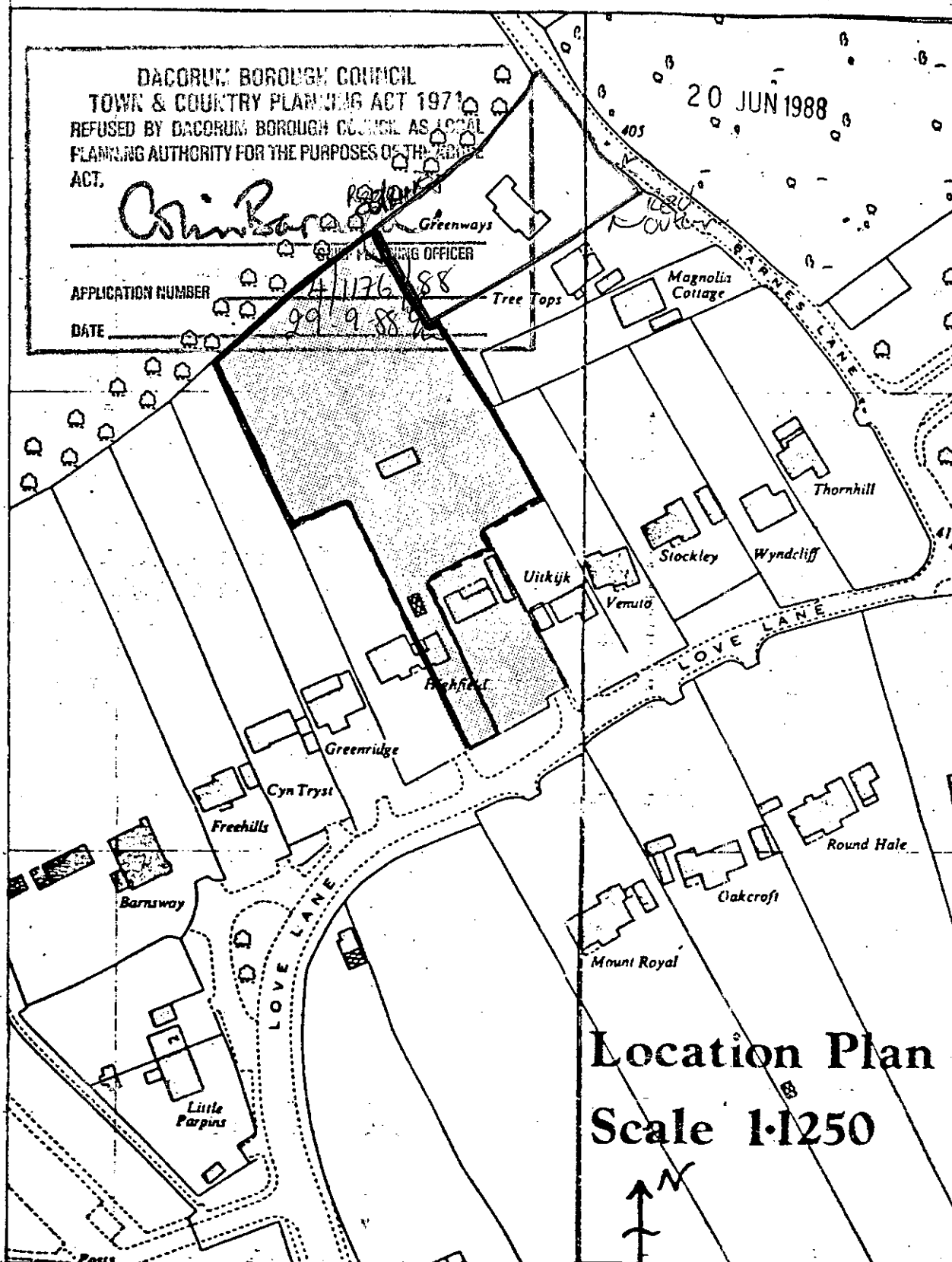
Neil Devaux
PP Miss K Cherton

4/1176/88

DACORUM BOROUGH COUNCIL
TOWN & COUNTRY PLANNING ACT 1971
REFUSED BY DACORUM BOROUGH COUNCIL AS LOCAL
PLANNING AUTHORITY FOR THE PURPOSES OF THE ACT.

20 JUN 1988

Chris Baradar
PLANNING OFFICER
APPLICATION NUMBER 4/1176/88
DATE 29/9/88



Location Plan
Scale 1:1250

DRG.No.
3049/LP
SCALE
1:1250
DATE
June '88

14A St. Albans Road
Watford
Hertfordshire WD1 1RX
Tel: (0923) 37711



Stimpsons

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Planning & Architecture