

9 JUN 1987



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

Common Services

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File ref.

Re: or to

Classified

40.9/6

3/RA

1/MB

2/SS

T/APP/A1910/A/87/063596/P4

Date

-5 JUN 87

-9 JUN 1987

Comments

Mrs J Doole  
14 The Green  
Mentmore  
LEIGHTON BUZZARD  
Bedfordshire  
LU7 0QF

Ref.				Ack.	
C.P.O.	D.P.	D.C.	B.C.	Admin.	File
Received				Date	
Comments					

Your reference

Our reference

T/APP/A1910/A/87/063596/P4

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Comments

Madam

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY KING'S LANGLEY BUILDING SUPPLIES LIMITED  
APPLICATION NO: 4/1291/86

1. As you know I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the Dacorum Borough Council to refuse planning permission for the erection of a warehouse at King's Langley Building Supplies, The Nap, King's Langley. I have considered the written representations made by you and by the Council and also, those by the King's Langley Parish Council. I inspected the site on Tuesday 5 May 1987.

2. From my inspection of the site and surroundings and the representations made, I am of the opinion that the main issue is whether or not the proposed development would be unacceptably detrimental to the residential amenities of the occupiers of adjoining dwellings.

3. Notwithstanding the smattering of business and other uses in The Nap, it seemed to me at my site visit that most of the buildings in the vicinity of the commercial premises were predominantly residential.

4. Despite the existing landscaping and wall along the boundaries of the yard and that the ground level falls slightly towards the rear of the property, following my site inspection I am satisfied that due to its bulk, design and position, the proposed warehouse would be an alien and discordant element when seen from adjoining houses, particularly when it would be the only feature of its type in the area.

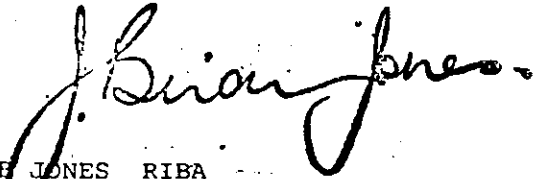
5. Although I accept your contention that the development, as proposed, would be an improvement by concealing the open storage, I do not agree that the building would not be significantly higher than the existing storage racks. The proposed height of 6 m to the lower edge of the fascia of the warehouse would be very similar to the eaves height of the shop building fronting The Nap and this appeared to me to be well above the racks I observed on site. In the circumstances, I am firmly of the opinion that the proposal would be an unacceptable visual intrusion, detrimental to the surrounding residential amenities.

6. I have considered the need to encourage small business, even in residential areas, but serious regard must be given to the nature and appearance of the building. Having weighed all the factors carefully, I have concluded that although the proposal would clearly be an asset to your client's business, the environmental disadvantages must outweigh this aspect.

7. I have taken account of all the other matters raised but do not find any of them of sufficient weight to alter the considerations which have led me to my conclusion.

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

I am Madam  
Your obedient Servant

A handwritten signature in cursive script, appearing to read "J. Brian Jones". The signature is written in dark ink and is positioned above the typed name.

J B JONES RIBA  
Inspector

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



## DACORUM BOROUGH COUNCIL

AJP

To Kings Langley Building Supplies Ltd  
The Nap  
Kings Langley  
Herts

Erection of warehouse

at Kings Langley Building Supplies, The Nap, Kings  
Langley

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 10 September 1986 and received with sufficient particulars on 12 September 1986 and shown on the plan(s) accompanying such application.

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

ie proposed building, by virtue of its height and massing, would have an adverse effect upon the amenities enjoyed by the occupants of neighbouring residential properties.

Dated 6 day of November 1986.

Signed

SEE NOTES OVERLEAF

P/D.15

Chief Planning Officer

#### 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.