

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr P J Cassidy
169 Abbots Road
Abbots Langley
Herts

...Erection of chalet bungalow (outline).....

at 94 Scatterdells Lane Chipperfield 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 ...5.7.88..... and received with sufficient particulars on ...7.7.88..... 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 proposed development would necessitate the removal of a mature tree, the loss of which would adversely affect the rural character of the area.

Dated 8th 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.

4/1312/88. ERECTION OF CHALET BUNGALOW (OUTLINE).
94 SCATTERDELLS LANE, CHIPPERFIELD.
APPLICANT: MR D J CASSIDY

DESCRIPTION - The application site comprises a rectangular shaped paddock covering an area of approximately 0.47 hectares. Access is by way of a 60 m long driveway running south from Scatterdells Lane serving 94 and 96 Scatterdells Lane. Hedges some 3-4 metres in height bound the north-western and north-eastern sides of the site. There are a number of mature trees within the site. The application site proposes the erection of a chalet bungalow sited on the northern part of the site.

POLICIES

Hertfordshire County Structure Plan 1986 Review

Policy 1

Dacorum District Plan

Policies 1, 18, 19 and 66

REPRESENTATIONS

County Surveyor

No objections

Local Resident

One letter received - no objection in principle, but request that access drive be resurfaced. It is assumed that a comparable application would be allowed if the current application is permitted.

Chipperfield Parish Council

Comments awaited

CONSIDERATIONS - The application site has been the subject to three previous refusal for residential development in 1969 (4 dwellings), 1972 (1 dwelling - appeal dismissed) and 1974 (1 dwelling). The site remains within the Metropolitan Green Belt and there has been no change in the circumstances since the previous refusals. No justification has been put forward for the proposal as a departure from current policy.

I am also concerned that the proposed dwelling would result in the loss of a mature tree having a high amenity value.

✓ 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 proposed development would necessitate the removal of a mature tree, the loss of which would adversely affect the rural character of the area.

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