

4/1410/89

Town Planning  
Ref. No. 4/1410/89

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



**DACORUM BOROUGH COUNCIL**

To  
Mr J Cox  
Pampard Kennels  
Gaddesden Row  
Hemel Hempstead  
Herts.

Messrs Pickworths  
37 Marlowes  
Hemel Hempstead  
Herts.  
HP1 1LQ

..... Eight single storey commercial units and provision  
..... of vehicular access  
.....  
at ..... Pampard Kennels, Bradden Lane, Gaddesden Row, .....  
..... 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 ..... 21. July. 1989 ..... and received with sufficient particulars on ..... 18. August. 1989 ..... 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 which is the subject of Policy 2 of the adopted Dacorum District Plan and Policy 52 of the Approved Hertfordshire County Structure Plan 1986 Review. In such an area permission will only be given for the 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. The local planning authority is of the opinion that:
  - (a) No such need has been proven and the proposed redevelopment of the site is unacceptable in terms of these policies.

Cont.

Dated ..... day of ..... 19

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.

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- (b) The proposed redevelopment of the site conflicts with the advice of Planning Policy Guidance Note No. 7 where the emphasis is on the re-use and adoption of existing buildings for alternative uses.
2. The adopted Dacorum District Plan and approved Hertfordshire County Structure Plan 1986 Review show the site to be within the Chilterns Area of Outstanding Natural Beauty. Within such an area the policy of the local planning authority is to preserve the appearance of the area, encourage agriculture and conserve wildlife by the restriction of further development. Notwithstanding the existing appearance of the site, the single storey form of the proposal and the authorised use for kennels and cattery, the local planning authority is of the opinion that the proposal would detract from the character of this sensitive part of the Chilterns Area of Outstanding Natural Beauty as:
- (a) Bradden Lane is a narrow and winding highway featuring sections enclosed by embankments and high hedging which makes a valuable contribution to the rural character of the Chilterns Area of Outstanding Natural Beauty. The provision of sight lines, which should be greater than specification shown on Drawing No. 142/1/A would result in the widening of Bradden Lane to the detriment of the visual amenity of its existing character.
  - (b) The proposed redevelopment involving offices and industrial units would result in the urbanisation of the site by reason of the nature of increased vehicular movements.
  - (c) The redevelopment involving new units would result in a materially different type of commercial use at the site as compared with the previous use of the site for kennels and cattery which is acknowledged to be an appropriate commercial use in the rural area.
  - (d) The provision of additional parking spaces to meet the parking standards adopted by the local planning authority would result in the extension of hard surfacing onto further land within the site to the detriment of the visual amenity of the locality.
3. Bradden Lane, by reason of its narrow and rural nature is unsuitable in both width and construction to accommodate the type of vehicles likely to be generated by the proposed use.
4. The provision of sight lines of 2.4 m by 35 m, as shown on Drawing No. 142/1 Rev. A, are inadequate to serve the proposal and therefore the use of the access by commercial vehicles would be likely to give rise to conditions prejudicial to highway safety on this narrow winding section of rural highway.
5. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.

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6. In the absence of a detailed landscaping scheme the local planning authority is not satisfied that there is adequate depth between the respective northern and southern flank walls of the two proposed units and the common boundaries with the adjoining dwellinghouse to ensure that satisfactory screening would be provided.
7. The close proximity of the north flank walls of Block 1, as referred to on Drawing No. 142/1 Rev A to the garden of Bucklands Field is likely to be detrimental to the amenity of this dwellinghouse by reason of noise, disturbance and loss of privacy arising from the position of doors and windows of the aforementioned building and the location of the associated footpath lying parallel with the common boundary.
8. If permitted the proposed development would establish a precedent for other redevelopment and schemes at similar type sites, the cumulative effect of which would be to gradually erode the rural character of the District's countryside, a substantial proportion of which is located with the Chilterns Area of Outstanding Natural Beauty where the prime consideration is the preservation of its existing character.

Dated 30 November 1989

Signed



Chief Planning Officer