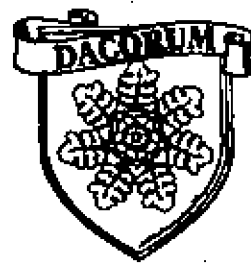


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr Lutt
Flat 6, Feldehurst
Felde
Herts

Mr J Lewis
117 Chambersbury lane
Hemel Hempstead
Herts HP3 8BE

Erection of stable block

Thatchers Acre, Shantock Hall Lane,
at Bovingdon

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 30 July 1988 and received with sufficient particulars on 1 August 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 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 development proposed is excessive on a site of this size by reason of the small site area, the area available for grazing and the substandard nature of the access road.

Dated 29 day of September, 1988

Signed

Wm. Barnard

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.

Other Representations

One letter of objection from neighbouring resident pointing out that the land already had a stable block when it formed part of The Forge. The size of the land will only support 1 animal and there are already two wooden buildings on the land which could cater for animals, after appeal dismissed a caravan and two lorry containers were placed on the site.

CONSIDERATIONS - The application site is an isolated area of land which does not appear to be associated with an existing agricultural unit and is not currently used for agricultural purposes. A large proportion of the site is used for storage and a concrete hardstanding. The proposed building has a floorspace of 113 sq m. There must be considerable doubt as to the capability of this area of land to support the number of animals requiring a building of this size.

✓ RECOMMENDATION - That planning permission be REFUSED (on form DC4) for the following reason:

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 development proposed is excessive on a site of this size by reason of the small site area, the area available for grazing and the substandard nature of the access road.

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