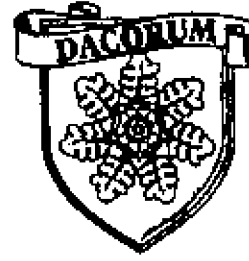


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

DD

To Mr L Phillips
"Oak Bank"
Bell Lane
Northchurch
Herts

Mr D Clarke
47 Gravel Lane
Hemel Hempstead
Herts

.....Three Dwellings (Outline).....
.....
at....."Oak Bank", Bell Lane, Northchurch, 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 dated17.8.88..... and received with sufficient particulars on6.9.88..... 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 proposal would extend the built up area of an isolated group of dwellings within the open countryside to the detriment of the character of this rural area.

DatedTenth..... day of ..November..... 1988

Signed.....*Wm Bannister*.....

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.

11 0 NOV 1988

4/1680/88. THREE DWELLINGS (OUTLINE).
"OAK BANK", BELL LANE, NORTHCHURCH.
APPLICANT: MR L PHILLIPS

DESCRIPTION - "Oak Bank" is a semi-detached dwellinghouse which occupies a prominent corner plot with frontages to Bell Lane and Shootersway. Both frontages feature boundary vegetation which is most substantial along Shootersway. The dwellinghouse itself fronts Bell Lane with vehicular access to Shootersway. The land between the driveway linked to the access and Bell Lane forms the main garden of the dwellinghouse. The proposal involves the erection of 3 two storey dwellinghouses on this garden which would be served by the existing access. The existing dwelling would be served by an access off Bell Lane.

POLICIES

Hertfordshire County Structure Plan 1986 Review

Metropolitan Green Belt; Policies 1, 47, 48 and 51

Dacorum District Plan

Policies 1, 18, 19, 24 and 66

REPRESENTATIONS

Northchurch Parish Council

The application should not be allowed due to the Green Belt location of the site and by reason of overdevelopment.

County Surveyor

Comments awaited

CONSIDERATIONS - The application site falls within the Metropolitan Green Belt where there is a strong presumption against any development not required for agriculture, forestry or rural leisure purposes. No justification has been put forward to indicate that the dwellings would be for this purpose. In 1978 and 1981 planning applications were refused for the erection of one and two dwellings respectively. The site history also involves commercial uses at the site.

In addition to the site's Green Belt location it is visible from Shootersway and agricultural land to the north-west and south-east and the proposal would consequently further urbanise this rural location by extending the existing sporadic residential development in Bell Lane.

✓ 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 proposal would extend the built up area of a isolated group of dwellings within the open countryside to the detriment of the character of this rural area.

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