

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To C. Selly, Esq.,
c/o Messrs. Brown & Merry,
41 High Street,
TRING,
Herts.

One detached dwelling and garage - OUTLINE
rear of 4 Pendley Bridge Cottages, Station Road,
at Tring Station, Tring.

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 26th November, 1980, and received with sufficient particulars on 27th November, 1980, 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 and the Chilterns Area of Outstanding Natural Beauty as described in the Approved County Structure Plan wherein permission will only be given for use of land, the construction of new buildings, change of use or extension of existing buildings for agricultural or other essential purposes appropriate to a rural area and 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 have a seriously detrimental effect on amenities and privacy at present enjoyed by occupants of adjacent dwellings.

Dated 8th day of January, 19 81.

Signed [Signature]

Designation Director of Technical Services.

NOTE

- (1) If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.
- (2) 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 section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Whitehall, London, S.W.1.) 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.
- (3) 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 District 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.
- (4) 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 section 169 of the Town and Country Planning Act 1971.



Department of the Environment

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GTN 2074

PLANNING DEPARTMENT DACORUM DISTRICT COUNCIL					
Ref.					Ack.
J.P.O.	D.P.	D.C.	B.C.	Admin.	File
Received 9/10 - 9 OCT 1981					MR
Comments COPY SENT TO SECRETARY					
Your reference RETURN TO SECRETARY					
Our reference COMMITTEE REPORT					
Date T/APP/5252/A/81/07717 12/11/81					
6 OCT 1981					

CHIEF EXECUTIVE OFFICER
- 9 OCT 1981
Refer to
Cleared

Messrs Brown and Merry
Land and Estate Agents
41 High Street
TRING
Herts
HP23 5AB

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9

603854

APPEAL BY C SELLY ESQ

APPLICATION NO: 4/1773/80

LAND AT REAR OF 4 PENDLEY BRIDGE COTTAGES, STATION ROAD, TRING STATION, TRING

- I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse outline planning permission for the erection of a detached dwelling and garage on land at the rear of 4 Pendley Bridge Cottages, Station Road, Tring Station, Tring. I have considered the written representations made by you, by the Council and by other parties. I inspected the site on 22 September 1981.
- From my inspection of the site and the surrounding area and from the representations made I consider that the main issue in this case is whether or not the proposed development would adversely affect the character and visual amenities of the locality.
- Although the appeal site and land in the area to the south, east and west of it is in the Metropolitan Green Belt area and an area of Outstanding Natural Beauty this has not prevented the area being developed for residential purposes. Tring Station is not only the name of a railway facility but also a hamlet which includes a hotel. Initially the residential development comprised a number of terraced cottages for the railway workers and some farm workers dwellings; later about 10 larger houses were built and in the mid 1970s an estate of 24 medium sized detached houses was allowed to be developed. The appeal site is within the residential area described and if it were otherwise suitable for the development proposed I would not reject the proposal solely on the grounds of its being located in green belt area or an area of Outstanding Natural Beauty.
- The configuration and location of the site indicates that at sometime it must have formed part of the back gardens to Nos 3 and 4 Pendley Bridge Cottages, a semi-detached pair of houses. No 4 is vacant and from the unkempt appearance of the garden seems to have been so for some time although structurally the building appears to be quite sound. Most of the appeal site comprises what was probably in the past the back garden of this house. The erection of a dwelling and garage, ie the development proposed, on the appeal site would be backland development and would obviously have some adverse visual impact on the 4 houses, Nos 1, 2, 3 and 4 Pendley Bridge Cottages. The site is not in an urban area where there is a pressing need for dwellings and where use must be made of any available land; in such an area it is quite normal for houses to be in close proximity and to overlook each other but rural development must be seen in a different context and in this

case maximising the use of land for residential development is neither necessary nor consistent with land use in a green belt area or area of Outstanding Natural Beauty although some development may be permitted.

5. I have considered all the other matters raised in the written representations including your submission but on balance conclude that development of the appeal site would be undesirable for the reasons set out above.

6. For these reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Gentlemen
Your obedient Servant



R L ROLPH TD MA FICE MIMME
Inspector