

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF **LACOMBA**

IN THE COUNTY OF HERTFORD

To **D. H. A. Warren Esq.,** **Messrs. Brown & Merry, Surveyors,**
c/o Messrs. Brown & Merry **41 High Street,**
Tring,
Herts.

..... **Detached bungalow, garage and access.**

.....

at **'Woodcote',**

..... **Grove Road, Tring.**

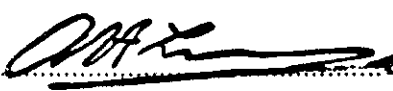
Brief
description
and location
of proposed
development.

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 **23rd December 1980** and received with sufficient particulars on **24th December 1980** and shown on the plan(s) accompanying such application..

The reasons for the Council's decision to refuse permission for the development are:—

The proposal would constitute an undesirable extension of residential development and an intrusion into open countryside beyond the existing limits of development, adversely affecting the visual amenities of the area.

Dated **3rd** day of **February** 19 **81**

Signed..... 

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
Room 1411
Tollgate House Houlton Street Bristol BS2 9DJ

Telex 44932

PLANNING DEPARTMENT Direct line 0272-218 918
DACORUM DISTRICT COUNCIL Switchboard 0272-21881
GTN 2074

CHIEF EXECUTIVE
OFFICER

11 AUG 1981

The Ref.

Referred to

Cleared

Messrs Brown & Merry
41 High Street
TRING
Hertfordshire
HP23 5AB

PLANNING DEPARTMENT
Dacorum District Council
12 AUG 1981
Comments

Your reference
PHK/JCT

Our reference

T/APP/5252/A/81/3695/G2

Date

10 AUG 1981

Gentlemen

3481

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR D H S FARREN
APPLICATION NO:- 4/1879/80

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the erection of a detached bungalow and garage on land at Woodcote, Grove Road, Tring. I have considered the written representations made by you and by the District and Town Councils, together with those made by interested persons. I inspected the site on 6 July 1981.

2. The appeal site is part of the rear garden of your client's residence, which stands in a substantial corner plot at the junction of Grove Road and Station Road. The existing house, Woodcote, fronts on to Grove Road; as part of the proposal a new vehicular access would be created for the new bungalow on to Station Road. The fields immediately east of the site and to the south on the opposite side of Station Road are paddock land; beyond to the east is mainly open countryside.

3. From my inspection of the site and its surroundings and from the representations made, I consider that the main issue to be decided is whether the proposal would harm the rural character of the immediate locality, particularly the area to the east and south.

4. You maintain that the appeal site lies within an existing residential area and that the proposal would not therefore intrude into open countryside. You stress that the bungalow would be well screened and that the development would have a negligible visual impact. As part of your case you also describe the personal and medical factors behind the proposal.

5. The council's principal objection to the proposal is that it would unduly harm the visual amenities of the locality, contrary to policy contained in the District Plan. In the council's view the erection of a bungalow in the position proposed would constitute an undesirable extension of housing development.

6. Part of the council's case is related to various guidelines for future development set out in Policies No 18, 19 and 66 of the District Plan. These guidelines appear to refer mainly to detailed design aspects and the nature of the objections on these grounds is not clear from the council's representations.

In my opinion the council's statement is also contradictory: it suggests that the principle of new development is not a major issue, but the reason for refusal of planning permission and the comments on the grounds of appeal appear to be concerned mainly with the principle of development rather than the detail.

7. The area around Station Road west of its junction with Grove Road is generally suburban in character. To the east, however, Station Road becomes a rural lane, passing through the open countryside which surrounds this part of Tring and which is part of the metropolitan green belt. The north side of Station Road where it passes the appeal site is bordered by a grass verge and hedge, beyond which are the trees and shrubs within the rear garden of Woodcote. On the south side of the road there is a more open view of the grazing land containing scattered groups of trees and glimpses of the houses in Cow Lane.

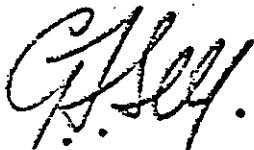
8. In my opinion all these elements of the landscape contribute to the delicate transition between town and country and to the maintenance of the primarily rural character of Station Road east of Grove Road and Cow Lane. Even though a new bungalow on the appeal site would not intrude into open countryside and would be well screened by existing vegetation, the removal of part of the hedge and the construction of a vehicular access across the verge would represent an extension of urban development at a particularly sensitive point adjacent to the green belt on the fringe of Tring. The proposed bungalow would be the only dwelling fronting on to this part of Station Road, thereby emphasising the visual impact of the development. I conclude therefore that the proposal would significantly detract from the rural quality of the immediate area.

9. In reaching my decision I have carefully considered the personal circumstances you quote. I have every sympathy for Mr Farren and his family and had the other issues been fairly evenly balanced the medical factors underlying the proposal might have tipped the balance in its favour. In my judgement, however, the objections to the proposed development which I have described above are sufficiently clear-cut that they cannot be overcome by the personal considerations.

10. I have taken into account all the other issues raised in the representations, including your comments about the recent development of other residential sites bordering built-up areas, but I find that none of these matters affect my decision.

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

I am Gentlemen
Your obedient Servant



G F SELF MA MSc MRTPI
Inspector

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Other
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THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

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c/o Messrs. Brown & Merry 41 High Street,
Tring, Herts.

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..... at 'Woodcote', Grove Road, Tring.	

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Dated 3rd day of February 19 81

Signed.....
Designation Director of Technical
Services.