

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To A Williams Esq
Lavender Cottage
Dunny Lane
Chipperfield
Herts

Derek Lofty & Associates
132/146 New Road
Croxley Green
Herts
WD3 3ER

Detached Dwelling (Outline).

at Adjacent Lavender Cottage, Dunny lane
Chipperfield, 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 10.12.87 and received with sufficient particulars on 14.12.87 and shown on the plan(s) accompanying such application.

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

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.

Dated Fourth day of February 1988

Signed

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.



Department of the Environment and Department of Transport

Common Services

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PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL							
Ref.				Ack.			
C.P.O.	T.C.P.M.	D.P.	D.C.	B.C.	Admin.	File	
0272-218 927				20 DEC 1988			
0272-218811							
Comments							
Your reference 856/DFL/vjf							
Our reference T/APP/A1910/A/88/100002/P2							
Date 16 DEC 88							

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132-146 New Road
CROXLEY GREEN
Herts WD3 3ER

**CHIEF EXECUTIVE
OFFICER**

20 DEC 1988

File no.
refer to *elo 20/12*
Cleared

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR A WILLIAMS
APPLICATION NO: 4/1903/87

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Dacorum Borough Council to refuse outline planning permission, all detailed matters reserved for subsequent approval, for a detached dwelling on land adjacent to Lavender Cottage, Dunny Lane, Chipperfield, Herts. I have considered the written representations made by you and by the Council and also those made by the Parish Council. I have also considered those representations made directly by other interested persons to the Council which have been forwarded to me. I inspected the site on 30 November 1988.

2. From my inspection of the site and its surroundings and the representations made I am of the opinion that the main issues are:

a. Whether or not there are any special circumstances which justify this development within the Green Belt.

b. Whether or not the proposal would adversely affect the character of the Green Belt.

3. In considering this proposal I have been mindful of Policies 1 and 51 of the approved Structure Plan, and Policies 1, 4, 5 and 6 of the adopted Dacorum District Plan. These policies relate to the general presumption against new development in the Green Belt except to meet the needs of agriculture, forestry, leisure or other appropriate Green Belt uses. Policies 4 and 5 specifically relate to developments within villages, and Policy 6 to replacement dwellings.

4. No special need is claimed for this proposal, nor is it to meet any of the uses set out in Policy 1. The site does not lie within a village but in an isolated group of dwellings surrounded by open countryside. Nor is the proposal for a replacement dwelling. I therefore can find no justification for permitting this proposal in the Green Belt.

5. I also consider that the development would be detrimental to the character of the Green Belt, in that it would consolidate and add to the existing development and increase its impact upon the rural character of the area. The site itself slopes upwards from the road frontage and this elevation would, in my view, increase the visual intrusion of any development.

6. I therefore conclude that the proposal would do demonstrable harm to an interest of acknowledged importance, the Green Belt. I have taken into account all the other matters raised but they are not sufficient to outweigh the considerations that have led to my conclusions.

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

I am Gentlemen
Your obedient Servant

Mary A. McClune

MARY A McCLUNE DiPTP MRTPI
Inspector