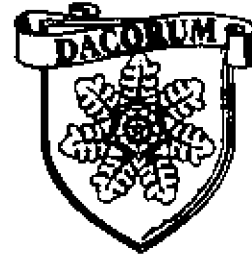


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To British Telecom plc  
81 Newgate Street  
London  
EC1A 7AJ

British Telecom Trunk Network Operations  
Unit 15/16 Mead Park Industrial Estate  
Harlow  
Essex

.....Satellite Aerial.....  
.....  
at 44a High Street, Markyate  
.....

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 .....3.November.1988..... and received with sufficient particulars on .....14.November.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 position of the proposed satellite aerial is such that it will be seen from Markyate High Street which will be detrimental to the general character and appearance of the Conservation Area, and will affect adversely the setting of a Listed Building.
- (2) Having regard to the restricted size of the rear yard and the close relationship with surrounding residential properties, the proposed aerial would appear as a most unneighbourly development, detracting from the visual amenity that can reasonably be expected to be enjoyed by nearby residents.

Dated .....23..... day of ...February..... 19 89

Signed.....*[Signature]*.....

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.

23 FEB 1989

4/2076/88. SATELLITE AERIAL.  
44A HIGH STREET, MARKYATE.  
APPLICANT: BRITISH TELECOM PLC

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DESCRIPTION - It is proposed to install a freestanding pole-mounted 1.3 m diameter satellite aerial to the rear of 44A High Street, a Listed Building. It will be located in the rear yard adjacent to a small outbuilding close to an access drive that runs from the High Street between Nos. 42 and 44A. The aerial will presumably serve the betting office at 42 High Street.

POLICIES

Hertfordshire County Structure Plan 1986 Review

Policies 47 and 48

Dacorum District Plan

Conservation area; Area of Archaeological Significance; Policies 11, 13, 14 and 18

REPRESENTATIONS

Markyate Parish Council

No objection

Local Resident

Objects - will interfere with rear view from house. This backyard is already an eyesore without adding to it. Will be seen from the main street. This is very relevant as this is a Conservation Area, and No. 44 is a Listed Building.

CONSIDERATIONS - The proposed aerial will be placed directly in front of the access to this rear yard in place of some dustbins. This may restrict access as the yard is already quite cluttered. It is likely that the aerial will be seen from the High Street as pedestrians pass by the access drive between Nos. 42 and 44A. Permission has already been granted for a similar aerial at 40B High Street, which would be well concealed from view.

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

1. The position of the proposed satellite aerial is such that it will be seen from Markyate High Street which will be detrimental to the general character and appearance of the Conservation Area, and will affect adversely the setting of a Listed Building.
2. Having regard to the restricted size of the rear yard and the close relationship with surrounding residential properties, the proposed aerial would appear as a most unneighbourly development, detracting from the visual amenity that can reasonably be expected to be enjoyed by nearby residents.