

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other Ref. No.

THE DISTRICT COUNCIL OF HERTFORD

IN THE COUNTY OF HERTFORD

To D G C Astley (Inter-vino Ltd) Little Turretts Dangers End Tring Herts

A E King BA BPL HRTPI 4 Isenburg Way Grovehill Hemel Hempstead Herts

Restaurant, wine and cocktail bar. at Land off Lower Kings Road, Berkhamsted.

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 29 December 1981 and received with sufficient particulars on 14 January 1982 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 proposal does not provide for a satisfactory means of access within the control of the applicant for private and service vehicles from the public highway.
2. Access to the proposed development is inadequate and unsuitable for the traffic which is likely to be required to service the new building.
3. The formation of an additional access to Lower Kings Road at this point would add unduly to the hazards of highway users.
4. Adequate provision cannot be made on the site for the parking of customers' vehicles in a satisfactory manner, and the proposed development would, therefore, be likely to result in vehicles parking on the adjoining public highway. This would interrupt the free flow of traffic, and thereby add to the hazards of road users at this point.

Dated 25 day of February 19 82.

Signed Colin Bannard

Designation Chief Planning Officer

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.