

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning Ref. No. 4/0092/76

Other Ref. No. 143/76D

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To Fairview Estates Limited,
50 Lancaster Road,
Enfield,
Middx.

Agents: Messrs. Irons, Cobert & Styles,
Architects,
2 River Front,
Enfield,
Middx.

Development (Phase I)
at Woodhall Farm, Redbourn Road, Hemel Hempstead, 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 28th January 1976 and received with sufficient particulars on 30th January 1976 and shown on the plan(s) accompanying such application.

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

- 1. Residential development of this land would detract from the character of the area as already permitted.
2. The land the subject of this application should remain as open space to ensure that amenity and recreational facilities are properly available for the residents of existing and proposed dwellings in the vicinity.

Dated 11th day of March 1976

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
Becket House Lambeth Palace Road London SE1 7ER

Telephone 01-928 7855 ext 453

Messrs Biscoe and Stanton
5/6 Staple Inn
Holborn
London WC1V 7QU

Your reference
V302 MTG/DJB
Our reference
PLUP2/5252/176/2

Date

25 October 1976

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971
PURCHASE NOTICE RELATING TO LAND AT WOODHALL FARM, REDEOURNE ROAD
HEMEL HEMPSTEAD, HERTS (4/0092/76(143/76D))

1. I am directed by the Secretary of State for the Environment to refer to the purchase notice dated 28 April 1976, a copy of which was transmitted to him on 30 June 1976, in respect of the interest held by Fairview Estates (Enfield) Limited in the above-mentioned land, the subject of a decision dated 11 March 1976.
2. On the information before him on 20 September 1976 the Secretary of State gave notice of his proposed action on the purchase notice, and specified a period within which a hearing might be requested. No request for a hearing having been received by him within the period specified, the Secretary of State has decided to take action as proposed and hereby refuses to confirm the purchase notice.
3. Section 245 of the Town and Country Planning Act 1971 provides that if a person is aggrieved by any action on the part of the Secretary of State of a description which includes the present decision, on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to that action, he may within 6 weeks from the date on which the action is taken apply to the High Court to quash the action. The relevant requirements are any requirements of the Town and Country Planning Act 1971 or of the Tribunals and Inquiries Act 1971 (or any enactment replaced thereby), or of any order, regulation or rules made under either of those Acts which are applicable to this action. If the application is made on the grounds that any of the relevant requirements have not been complied with, it must be shown to the satisfaction of the Court that the interests of the applicant have been substantially prejudiced by a failure to comply with any of the relevant requirements in relation to the action. A similar right of appeal is given by the Section to the local authority directly concerned with the action.
4. A copy of this letter is being sent today to the Dacorum District Council and the Hertfordshire County Council.

I am Gentlemen
Your obedient Servant

D A ROBINSON
Authorised by the Secretary of State
to sign in that behalf