

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

BH

**DACORUM BOROUGH COUNCIL**

To Mr.S.Yetistiren,  
61 Elstree Road,  
Woodhall Farm,  
Hemel Hempstead,  
Herts

..... Siting of Caravan for sale of hot food.....  
.....  
at Land outside 158 High Street, 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 ..... undated..... and received with sufficient particulars on ..... 27th January 1986 ..... 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 proposed development by reason of its prominent location in the Berkhamsted Conservation Area would be seriously detrimental to the street scene, the amenity of surrounding properties and the environment of the locality.
2. The location of the caravan at the junction of Water Lane, Church Lane and High Street could give rise to problems of highway safety and, by reason of the attraction of vehicles and pedestrians to the area, affect the free flow of trunk road traffic.

Dated ..... 13th ..... day of ..... March ..... 19 .. 86..

Signed..... *Wim Bamard* .....

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.

Location of Appeal Site **LAND OUTSIDE 158 HIGH STREET, BERKHAMSTEAD**

Appellant **S. YETISTEREN**

L.A. Ref. No. **4/0124/86**

Appellants Agent **FLETCHER, DEANISH & CO.**

Secretary's Ref.

Proposal **USE OF HIGHWAY LAND FOR STATIONING OF MOBILE STALL SELLING HOT FOOD**

D.o.E. Ref. **APP/A1910/A/86/055586**

~~Date of Decision/Service of Enforcement Notice~~

**13-3-86**

Date Appeal lodged with D.o.E.

(within 6 months)

Date of receipt of Notice of Appeal by C.P.O.

**10-9-86**

Date Secretary notified of receipt of Appeal

**12-9-86**

Date of return of questionnaire to D.o.E.

**12-9-86**

(within 14 days)

Notification of Public Inquiry/~~Written Representations~~

**10-9-86**

Date persons notified of Appeal

(min.28 days before P.I.)  
(min.28 days before P.I.)

Date statement sent to (a) D.o.E.

(b) Appellant

(c) Secretary

Date Plans sent to: (a) D.o.E.

(b) Appellant

(c) Secretary

(min.28 days before P.I.)

Date list of persons notified of Appeal sent to: (a) D.o.E.

(b) Appellant

(c) Secretary

(min.28 days from P.I.)

Date/Time of Site Inspection (Written Representations)

Confirm date, time, location of Public Inquiry

Date Secretary notified of date etc. of Public Inquiry

Date Committee Room/Hall booked

Date Display Notice received by C.P.O.

Date Display Notice on Appeal Site if required

Date proof of Evidence sent to Secretary

(min.28 days from P.I.)

Decision **ALLOWED/DISMISSED/QUASHED**

Date: **5/12/86**

Date received by C.P.O.

Date Secretary notified

Date Reported to D.C. Committee

**APPEAL INVALID - DOE WILL TAKE NO FURTHER ACTION.**

High Court