

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

DACORUM BOROUGH COUNCIL

To Mr P West
'Mount Pleasant'
Gossoms End
Berkhamsted

Mr DClarke
47 Gravel Path
Hemel Hempstead

Garage and vehicular access
.....
.....
at ... Mount Pleasant, Gossoms End, 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 18 February 1986 and received with sufficient particulars on 20 February 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 does not provide for vehicles to enter and leave the adjacent trunk road in a forward direction to the detriment of the safety and free flow of pedestrians and vehicles on the adjacent highway.
2. The proposed development does not provide adequate visibility to enable vehicles emerging from the proposed access to see and be seen by approaching vehicles and pedestrians to the detriment of highway safety.
3. Notwithstanding that insufficient information has been submitted to indicate alterations to existing ground levels to facilitate construction of the development in accordance with the submitted drawing, the proposed development, by reason of its design, appearance and prominent location within the site would have a detrimental effect on the general appearance of the locality.

Dated 16 day of April 1986

Signed *W. B. ...*

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.