

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To	B M Drake	&	W H Thomas		P J Fountaine
	345 High Street		24 Four Acre Walk		27 Castle Street
	Berkhamsted		Bennetts End		Berkhamsted
			Hemel Hempstead		

Change of use Agricultural Storage to light industry
.....
at Badgerdell Wood, Barnes Lane
.....
Chipperfield
.....

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 24 February 1984 and received with sufficient particulars on 24 February 1984 and shown on the plan(s) accompanying such application.

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

- A. (1) The site is in an area referred to as being within the Metropolitan Green Belt as defined by the County Structure Plan and the Dacorum District Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use or extension of existing buildings for agricultural or other essential purposes appropriate to a rural area, or small scale facilities for participatory sport or recreation. No such need has been proved and in the opinion of the local planning authority, the proposed development is unacceptable in the terms of this policy.
- (2) The proposed development conflicts with policies 48 and 49 of the Dacorum District Plan inasmuch as the site lies outside an existing industrial area and so indicated on the "Proposals Map", or in an area shown for industrial development.

Continued/.....

Dated 17 day of May 19 84

Signed *[Signature]*

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, 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.
- (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.

- (3) Policy 9 of the Dacorum District Plan seeks to give priority to agriculture and to conserve the character of the countryside in designated Agricultural Priority Areas as defined on the Proposals Map. The proposed development lies in such an area and the proposed development, in the opinion of the local planning authority conflicts with the aims of this policy.
- B. That, subject to the District Secretary being satisfied as to the evidence, ENFORCEMENT ACTION be authorised to secure the cessation of the alleged unauthorised uses.
- C. That the views of the Director of Technical Services be sought as to whether the Council is able to offer any alternative accommodation for the existing occupiers.
-

Dated 17 day of May 19 84

Signed



CHIEF PLANNING OFFICER



Department of the Environment

Room 907

Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218575

Switchboard 0272-218811 GTN 2074

Chief Planning Officer.

Your reference

Daconum BC

Civic Centre, Hemel Hempstead

HERTS.

HPI 144.

~~11/MS~~
~~2/CS~~

Your reference

APP/A 1910/C/85/144-
Date

June 85 b.

Dear Sir,

~~SECRET~~

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 88

APPEAL BY B M Drake

LAND at Badgerden Wood.

I enclose for your information a copy of a letter received on 28/5/85 withdrawing the above-mentioned appeal. The Secretary of State will therefore take no further action in the matter.

Yours faithfully

B. Drake

PLANNING DEPARTMENT			
COUNCIL			
App.	Ack.	Admin.	File
C.P.O.			
Received	18 JUN 1985		
Comments	4-0071-85E	} all appeals withdrawn	
	4-0072-85E		
	4-0073-85E		

ENC

E26 (6/83)