

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To

Fairview Estates Limited,
50 Lancaster Road,
Enfield,
Middx.Agents: Irons, Cobert & Styles,
2 River Front,
Enfield,
Middx.

supermarket

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 23rd March 1977 and received with sufficient particulars on 24th March 1977 (complete 30th March 1977) 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 is at variance with Policy 46 of the submitted County Structure Plan Written Statement which seeks to ensure that all proposals for additional shopping development accord with the established hierarchy of shopping centres and to restrict new shopping development to existing central areas and local centres in accordance with estimated needs. The development proposed will be functionally unrelated to existing and proposed neighbourhood centres and it is considered that the floorspace is excessive in relation to the needs of the ultimate population of the residential neighbourhood within which it is to be located.
2. Policy 47 of the submitted County Structure Plan Written Statement states, inter alia, that the County Council will, in general, resist the development of new out-of-town or urban fringe shopping centres within the County and the proposed development is considered to be in conflict with this policy in that it will seriously affect both the viability and character of existing shopping centres in this part of the County.

Dated 4th day of May 1977

Signed.....

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.