

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

DACORUM BOROUGH COUNCIL

To Sunjoy Limited
1 Alexandra Road
Kings Langley
Herts

Mr. C. Wren
10 Barley Mow Passage
London W4 4PH

..... Mooring basin with ancillary parking, access roads,
..... services etc.
at Land south side Pix Farm Lane/Sharpes Lane
..... Hemel Hempstead

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 20.3.85. and received with sufficient particulars on 29.3.85. 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 site is within the Metropolitan Green Belt as shown diagrammatically in the Approved County Structure Plan and shown in the Approved Dacorum District Plan. Within such areas, planning permission will only be granted for development for agricultural or other essential purposes appropriate to a rural area or for small scale facilities for participatory sport and recreation or other uses appropriate to a rural area. By reason of its scale and impact on the surrounding area, in the opinion of the local planning authority, the proposal conflicts with the aims of this policy.
- (2) By virtue of their narrow width and restricted visibility distances at bends and junctions, the highways serving the proposed development are unsuitable to deal with the additional traffic likely to be generated.
- (3) The proposal will adversely affect a site identified on the Dacorum District Plan as a site of Natural History Interest. The proposed development would conflict with the objective of Policies 36 and 37 of the Dacorum District Plan which is to safeguard habitats of importance within the District from incompatible recreational development.

Dated 18th day of July 19 85 ...

Signed.....

W. B. B. B. B.

SEE NOTES OVERLEAF

P/D.15

Chief Planning Officer

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 south side Pix Farm Lane / east side Shurges Lane Hemel Hempstead*
 Appellant *Sunjoy Limited* L.A. Ref. No. *4/0386/85*
 Appellants Agent *Richard Wood Partnership Appleford House* Secretary's Ref.
70-72 Chandon Street Leamington Spa Warwick CV32 4PE
 Proposal *Construction of access, roads, mooring basin, carpentry etc.* D.o.E. Ref. *APP/A1910/A/85/040450*

Date of Decision/ Service of Enforcement Notice	<i>18.7.85.</i>	
Date Appeal lodged with D.o.E.	<i>12.11.85.</i>	(within 6 months)
Date of receipt of Notice of Appeal by C.P.O.	<i>15.1.86.</i>	
Date Secretary notified of receipt of Appeal	<i>21.1.86</i>	
Date of return of questionnaire to D.o.E.	<i>21.1.86</i>	(within 14 days)
Notification of Public Inquiry/Written Representations		
Date persons notified of Appeal	<i>8.7.86</i>	(min.28 days before P.I.)
Date statement sent to (a) D.o.E.	<i>18.7.86</i>	(min.28 days before P.I.)
<i>rule 7C1)</i> (b) Appellant	<i>18.7.86</i>	(min.28 days before P.I.)
(c) Secretary		
(d) <i>Section 27 Party</i>		
Date Plans sent to: (a) D.o.E.		(min.28 days before P.I.)
(b) Appellant		
(c) Secretary		
(d) <i>Section 27 Party</i>		
Date list of persons notified of Appeal sent to: (a) D.o.E.	<i>18.7.86</i>	(min.28 days from P.I.)
(b) Appellant	<i>18.7.86</i>	
(c) Secretary		
(d) <i>Section 27 Party</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		(min.28 days from P.I.)
Date proof of Evidence sent to Secretary		

Decision ~~ALLOWED/DISMISSED/QUASHED~~

Date:

Date received by C.P.O.

Date Secretary notified

Date Reported to D.C. Committee

WITHDRAWN

High Court