

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Amalgamated Builders Ltd
34 High Street
Tring

Mr A E King
'Fairways'
Lockers Park Lane
Hemel Hempstead

Lakeside Phase 3 - 7 dwellings and garages

at Lakeside, Icknield Way, Tring

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 16th April 1984 and received with sufficient particulars on 16th April 1984 and shown on the plan(s) accompanying such application.

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

- (1) Having regard to the irregular shape of the site, the enclosed setting bounded by neighbouring dwellings and the lack of direct road frontage, the proposal represents a form of development that would be out of character with the surroundings and seriously harm the residential amenities of nearby properties.
- (2) Occupants of nearby properties are likely to suffer loss of privacy and disturbance through noise from the proximity of the new houses and the normal activities of their households within the relatively restricted curtilages, and also from the associated coming and going of vehicles and pedestrians gaining access to the new houses.
- (3) The location of the proposed car parking provision is unsatisfactory to related dwellings that the spaces are intended to serve.

Continued over

Dated 7th day of June 1984

Signed *W. B. Marshall*

Chief Planning Officer

- (4) The access to the garage and parking area is unsatisfactory to serve the proposed development by reason of inadequate width, and is likely to detract from the visual amenities of the adjoining residential development.

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.