

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To D. Deacon, Esq.,  
The Small Holding,  
Bank Mill Lane,  
BERKHAMSTED,  
Herts.

M. Crush, Esq.,  
71 Wendover Court,  
Chiltern Street,  
LONDON,  
W1M. 1HH.

Use of land for 28 days in any one year for market

stalls

at The Smallholding, Bank Mill Lane, 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 13th October, 1980 and received with sufficient particulars on 27th March, 1981 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 described in Policy 2 of the Approved County Structure Plan 1979. This Policy states that within the Green Belt planning permission will not be given, except in very special circumstances, for development for purposes other than agriculture, forestry, mineral extraction or leisure purposes appropriate to the area. No such need has been proven and the proposed development is unacceptable in the terms of this policy.
2. The proposed development would introduce a use which is out of character in this rural location, and would lead to increased traffic which would be a potential hazard on the local road system and would have an urbanising effect on the environment.
3. Insufficient car parking space can be provided within the site to cater for the amount of traffic likely to be attracted by the proposed use.

Dated 28th day of May, 1981.

Signed



Designation 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, 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.