

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To

Hintonhurst Limited  
Honeysuckle Lodge  
Mentmore  
Leighton Buzzard  
Beds LU7 0QJ

Mr G V Bunyan  
14 Queens Road  
Berkhamsted  
Herts HP4 3HU

Residential Development (Outline) Land

at "Dundale", R/O Nathaniel Walk and Elm Tree Walk,  
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 03/04/1990 and received with sufficient particulars on 03/04/1990 and shown on the plan(s) accompanying such application.

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

- 1) There is a severe deficiency in public open space within Tring. Dundale is allocated for public open space purposes in the Dacorum District Plan and forms an important undeveloped area on the edge of Tring. In the absence of any overriding need for further residential development or any specific justification for the release of this land the site should remain as undeveloped land.
- 2) Even if development were acceptable in principle, the proposed residential development would be visually intrusive and would have a severely detrimental effect on the site's unique natural features, including flora and fauna. The secluded atmosphere of the site would be destroyed with insufficient space between the residential boundary and the southern shores of the lake to provide adequate screening to maintain the lake's tranquil setting.

Dated ..... day of ..... 19.....

Signed

Chief Planning Officer

SEE NOTES OVERLEAF

P/D. 15

## 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 the date 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.

- 3) Furthermore, given the existing constraints of trees, sewers and the requirements to provide a satisfactory access road, the application site is of insufficient size to accommodate 29 houses, parking and amenity space.

Dated.....9.....day of.....August.....1990

Signed

*Colin Bamford*

Director of Planning