

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF **DACORUM**

IN THE COUNTY OF HERTFORD

.....

To Messrs. K. R. Pearce & D. Coulson, H. Cook, Esq., Dip.Arch., A.R.I.B.A.,
31 Baker Street, West Lynn,
LONDON, Bushey Grove Road,
W1. BUSHEY,
Herts.

Three dwellings and access

at Land opposite Hollybush Farm, Hollybush Lane,
Flamstead.

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, 1980, and received with sufficient particulars on 28th April, 1980, 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 without notation on the Approved County Development Plan and in an area referred to in the Approved County Structure Plan (1979), wherein permission will only be given for the construction of new buildings (or the change of use or extension of existing buildings) for agricultural purposes, small scale facilities for participatory sport and recreation, or other uses appropriate to a rural area. The proposed development is unacceptable in the terms of this policy.
2. The proposed development would be detrimental to the visual amenities of this rural area.

Dated 29th day of May, 19 80...

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.

APPEAL SCHEDULE

TECHNICAL SERVICES DEPARTMENT

Location of Appeal Site LAND OPPOSITE HOLLYBUSH FARM, HOLLYBUSH LANE, FLAMSTEAD
 Appellant MESSRS. PEARCE AND COULSON L.A.Ref.No. 4/0690/80
 Appellant's Agent WEDLAKE BELL Secretary's Ref.
 Proposal THREE DWELLINGS AND ACCESS D.o.E. Ref. APP/5252/A/80/09266

Date of Decision/ Service of Enforcement Notice	29-5-80	
Date Appeal lodged with D.o.E.	21-7-80	(within 6 months)
Date of receipt of Notice of Appeal by D.T.S.	29-7-80	
Date Secretary notified of receipt of Appeal		
Date of return of questionnaire to D.o.E.	7-8-80	(within 14 days)
Notification of Public Inquiry/ Written Representations	29-7-80	
Date persons notified of Appeal	21-10-80?	(min.28 days before P.1)
Date statement sent to: a) D.o.E. b) Appellant c) Secretary	{ 21-10-80?	(min.28 days before P.1)
Date plans sent to: a) D.o.E. b) Appellant c) Secretary	/	(min.28 days before P.1)
Date list of persons notified of Appeal sent to: a) D.o.E. b) Appellant c) Secretary	/	(min. 28 days before P.1)
Date/Time of Site Inspection (Written Representations)	/	
Confirmed date, time, location of Public Inquiry.	9-12-80	10.00 AM HEMEL HEMPSTEAD
Date Secretary notified of date etc. of Public Inquiry		
Date Committee Room/Hall booked		
Date Display Notice received by D.T.S.	11-9-80	
Date Display Notice on Appeal Site if required	/	(min.28 days before P.1)
Date Proof of Evidence sent to Secretary		

Decision APPEAL DISMISSED
 Date received by D.T.S. 6-1-81
 Date Secretary notified 6.2.81
 Date reported to D.C.Committee 5.2.81

NOTE
 FOR PAPERS RELATING
 TO THIS APPEAL SEE

High Court

FILE 4/0689/80.