

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

THE DISTRICT COUNCIL OF ..... **DACORUM** .....

IN THE COUNTY OF HERTFORD .....

To Commission for the New Towns, & Longdean Park Residents Association,  
 Swan Court, 30 Highclere Drive,  
 Waterhouse Street, Hemel Hempstead.  
 Hemel Hempstead.

Entrance gates to Longdean Park

at Silverthorn Drive &amp; Longdean Park, 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 **12th September, 1975** and received with sufficient particulars on **15th September, 1975** and shown on the plan(s) accompanying such application.

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

**The gates would present a potential hazard to motorists and for cyclists particularly having regard to their location and the possibility of unauthorised closure.**

Dated **27th** ..... day of **November** ..... 19 **75** .....

Signed.....

Designation **Director of Technical Services.**

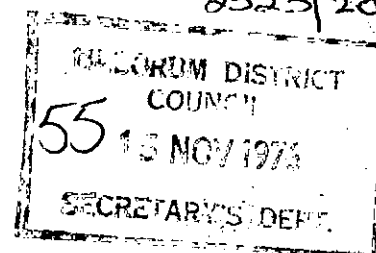
## NOTE

- (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.

**Department of the Environment**

Becket House Lambeth Palace Road London SE1 7ER

Telephone 01-928 7855 ext 405



The Riches & Blythin Partnership  
57 and 59 Beak Street  
LONDON  
W1R 4HQ

Your reference

PWGP/jo

Our reference

T/APP/5252/A/76/3954/G8

Date

**12 NOV 1976**

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY COMMISSION FOR THE NEW TOWNS AND LONGDEAN PARK RESIDENTS ASSOCIATION  
APPLICATION NO:- 1426/75D

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the erection of entrance gates to Longdean Park estate at Silverthorn Drive and Longdean Park, Hemel Hempstead. I have considered the written representations made by you and by the council and also those made by other interested persons. I inspected the site on 19 October 1976.

2. I note that the planning application for the erection of pairs of gates at either end of the estate was submitted following discussions between representatives of the Commission for the New Towns and the District Council. Subsequently it has been suggested that the proposal might be classed as Permitted Development within the terms of either or both Class II and Class IX Developments of Schedule I of the Town and Country Planning General Development Order 1973 on the premise that the roads in the estate are private roads and not public highways. The Council has not commented on this aspect and I am not satisfied on the evidence before me that the proposal does not require planning permission; I have therefore considered your clients' appeal on its merits.

3. From my inspection of the proposed location of the 2 pairs of gates and the associated roads, and the representations made, I am of the opinion that the determining issue is whether the gates would present a significant hazard to vehicular traffic.

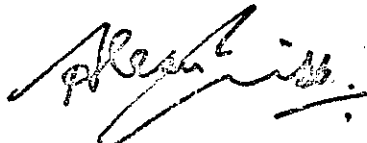
4. I have noted the nature of the problem facing the residents of Longdean Park estate and the various measures, both active and passive, which have been discussed. It seems to me that the efficacy of any particular possible solution, which may be largely symbolic in the context of indicating the nature of the residential estate, is not an essential planning consideration. In view of the purpose of these gates, which are proposed to be erected on estate roads well clear of Bunkers Lane and Chambersbury Lane, I accept the contention that they would normally be kept locked in the open position, closed probably one day a year and generally operated in a responsible manner. In my opinion such gates would not present a hazard to vehicular traffic of such a degree as to be unacceptable.

5. I have considered all the other matters raised in the written representations but it seems to me that they are not sufficiently strong to outweigh the considerations that have led me to my decision.

6. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the erection of entrance gates to Longdean Park estate at Silverthorn Drive and Longdean Park, Hemel Hempstead, in accordance with the terms of the application (No 1426/75D) dated 12 September 1975 and the plans submitted therewith, subject to the condition that the development hereby permitted shall be begun not later than 5 years from the date of this letter.

7. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971.

I am Gentlemen  
Your obedient Servant

A handwritten signature in dark ink, appearing to read 'A H GIBB MBIM', with a flourish underneath.

A H GIBB MBIM  
Inspector