

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning 4/1315/81  
Ref. No. ....

Other  
Ref. No. ....

THE DISTRICT COUNCIL OF ..... DACORUM .....  
IN THE COUNTY OF HERTFORD .....  
.....

To D. Thorpe Esq.,  
20 Bridle Way,  
Berkhamsted,  
Herts.

Boundary fence,  
.....  
.....  
at 20 Bridle Way,  
Berkhamsted, Herts.  
.....

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 1981 and received with sufficient particulars on 13th October 1981 and shown on the plan(s) accompanying such application.

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

The development proposed would adversely affect the visual amenities of the area and would be detrimental to the street scene.

Dated 4th ..... day of December ..... 19 81

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.

CHIEF EXECUTIVE  
OFFICER  
1 JUN 1982  
File Ref. ....  
Refer to CPO  
Cleared .....



Department of the Environment  
Room 1308  
Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218 856  
Switchboard 0272-218811  
GTN 2074

5099

PLANNING Dacorum District Council		Your reference -	
Mr D S Thorpe Ref.		Our reference T/APP/5252/A/82/02379/G8	
20 Bridle Way	C.P.O. DP B.C. Admin. File	Date 27 JUN 1982	
Chiltern Park			
BERKHAMSTED			
Herts	Received -1 JUN 82		
Comments			

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPLICATION NO:- 4/1315/81

- 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 repositioning the boundary fence at No 20 Bridle Way, Berkhamsted, Herts. I have considered the written representations made by you, by the council and also those made by one other interested person. I inspected the site on 4 May 1982.
- No 20 Bridle Way lies on the junction of 2 roads, Bridle Way and Haynes Mead, in the Chiltern Park housing estate, Berkhamsted. The proposal is to reposition the existing boundary fence by moving it north by about 2 ft 3 ins at the west end and by about 15 ft at the east end and by further extending it to the east and south. The fence will then be 3 ft 3 ins from the public footpath along its length.
- The main issues in this case are whether the proposed development would adversely affect the visual amenities of the area and would be detrimental to the street scene.
- I noted that generally along Bridle Way and Haynes Mead there is an impression of openness in the layout and particularly so at your corner site. Your proposal to move your fence as indicated and taking in more of your frontage to the north and east with a new 18 ft wide fence returning to your garden path would result in closing the present view when turning into Haynes Mead from Bridle Way and I believe this would be detrimental to the street scene. It would also have a visual impact when coming along Haynes Mead to the junction with Bridle Way.
- You have commented that a fence along the public footpath in Bridle Way has been erected by the occupier of No 46 Long View which also is a corner site. However I do not think this is comparable with your situation as the view to the north of Long View along Bridle Way is closed by garages built close to the public footpath.
- I have considered all other matters raised in the written representations but am of the opinion that they do not carry sufficient weight to override the considerations that have led to my decision.

NOTES

- (1) Any person who desires to appeal -
- (a) against a determination of a local planning authority under Section 53 of the Act; or
  - (b) on the failure of a local planning authority to give notice of their decision or determination or of the reference of the application to the Secretary of State,

shall give notice of appeal to the Secretary of State within six months of notice of the decision or determination or of the expiry of the appropriate period allowed under Article 7 (6) of the Town and Country Planning General Development Order 1977 as amended, for giving such notice (i.e. 8 weeks from date of receipt of application by Local Planning Authority), as the case may be, or such longer period as the Secretary of State may at any time allow. The notice shall be given in writing, addressed to The Secretary of State for the Environment, Tollgate House, Houlton Street, BRISTOL BS2 9DJ.

- (2) Such person shall also furnish to the Secretary of State a copy of the following documents:-
- (i) the application;
  - (ii) all relevant plans, drawings, particulars and documents submitted with the application;
  - (iii) the notice of the decision or determination, if any;
  - (iv) all other relevant correspondence with any local planning authority.