

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



## DACORUM BOROUGH COUNCIL

DD

To Chipperfield Homes Ltd  
Kings Works  
Kings Lane  
Chipperfield  
Herts

Collett Design  
Architectural Consultants  
17 Collett Road  
Hemel Hempstead  
Herts

..... Modification of driveway access to three dwellings .....  
.....  
at .... "Lane End", Shootersway Lane, 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 ..... 3:8:88 ..... and received with sufficient particulars on ..... 3:8:88 ..... 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 full completion of the driveway would prevent the reinstatement of the original ground levels and conditions of the site. The reinstatement is necessary to safeguard the future health of the nearby preserved Walnut and Lime trees which are the subject of Dacorum Borough Council (Land End, Shootersway Lane, Berkhamsted) Tree Preservation Order 1987 and which have been damaged by unauthorised root cutting and disturbance.
- (2) The provision of the entrance gates and brick walls shown on Drawing No 88/1314/8 would fail to create the required sense of enclosure to the detriment of this semi-rural locality.
- (3) The proposed siting of the driveway shown on Drawing No 88/1314/8 would encourage the creation of a vehicular link between the development and adjoining land in Wayfarers Park to the detriment of the amenity of nearby residential development by reason of noise and disturbance generated by vehicular movements and the visual amenity of Shootersway Lane which otherwise features self-contained culs-de-sac and driveways to serve backland development.

Dated ... Fifteenth ..... day of ... December ..... 19 88

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 receipt 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.