

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Mr G Catling
Widmore Farm
Bradden Lane
Gaddesden Row

.....Footpath in connection with private shooting.....
.....ground (S.32 Application).....
atWidmore Farm, Bradden Lane, Gaddesden Row.....

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 30th November 1983..... and received with sufficient particulars on 30th November 1983..... and shown on the plan(s) accompanying such application..

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

The siting of the footpath in connection with private shooting in close proximity to public footpath no 6 (Great Gaddesden), when used for the purpose for which the footpath is required, would be detrimental to the safety of users of the public footpath.

Dated 12th day of January 1984

Signed.....

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, 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.
- (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 and Department of Transport

Common Services

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10156

CHIEF EXECUTIVE

OFFICER M B

14 AUG 84 TEAM 2

File Ref.

Refer to CPO 1418

Cleared



PLANNING DEPARTMENT DACORUM DISTRICT COUNCIL					
Direct line 0272-218865 Switchboard 0272-21881 GIN 2074					
Ref.	Ack.				
C.P.O.	D.P.	C.	B.C.	Admin.	Your reference
					FW9/L.01/RS/MD
Received					Our reference
14 AUG 1984					T/APP/A1910/A/84/12133/P7
Comments					Date
					13 AUG 84

Messrs Sanders Norman
38 The Mall
LONDON
W5 3TJ

Gentlemen

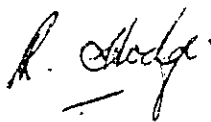
TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR G CATLING
APPLICATION NO:- 4/1563/83

1. I have been appointed by the Secretary of State for the Environment to determine your client's above mentioned appeal. This appeal is against the decision of the Dacorum District Council to refuse planning permission for the construction of a footpath for use in connection with a private shooting ground on land at Wildmore Farm, Bradden Lane, Gaddesden Row. I have considered the written representations made by you and by the council and also those made by interested persons.
2. As the footpath has been constructed, I am treating your client's appeal as being for the retention of that footpath in accordance with the provisions of the Town and Country Planning Act 1971 Section 32(2).
3. From the written representations made and my inspection of the site and its surroundings on 2 July 1984, my opinion is that this case turns on whether your client's project would lead to shooting in a way that could cause unacceptable danger to walkers on the 2 nearby footpaths which are designated public rights of way.
4. I take the point, that the footpath is needed so that your client, who is an experienced and expert shot, may continue to shoot more safely from this spot on infrequent occasions not exceeding 28 days in any one year. I note that he is satisfied that one footpath is behind the line of fire and that firing from the short semi-circular footpath would be within the normally accepted margin of safety.
5. However, I note that the 2 local footpaths are well used and that your client's application is for a footpath to be used in connection with a private shooting ground. I feel that it would be hard for him to resist the temptation to use this costly, well equipped and convenient shooting place more frequently and to invite his friends to join him in his sporting activity at times. I share the view of the council and some local people, that any shooting activity at the semi-circular footpath with its 5 firing positions would be a potential hazard for a walker on the nearby lengths of the 2 well used local public footpaths.
6. I conclude therefore, that your client's project would lead to shooting in a way that could cause unacceptable danger to walkers on the 2 nearby footpaths which are designated public rights of way and that it is unacceptable.

7. Having taken full account of all the other matters raised in the written representations of this case, I am of the opinion that they do not outweigh the considerations that led me to my decision. Accordingly, for the above reasons, and in exercise of the powers transferred to me, I hereby dismiss your client's appeal.

I am Gentlemen

Your obedient Servant

A handwritten signature in cursive script, appearing to read 'R. Hodge'.

R HODGE FRTPI DipTP(Notts)
Inspector