

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



## DACORUM BOROUGH COUNCIL

DD

Mr Ng  
40 London Road  
Hemel Hempstead  
To Herts

Mr D Clarke  
47 Gravel Lane  
Hemel Hempstead  
Herts

....Erection of Replacement Workshop.....  
.....  
at 18-20 London Road, Hemel Hempstead, 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 .....1.11.89..... and received with sufficient particulars on .....6.11.89..... 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 proposed replacement workshop would prejudice the construction of the County Council's proposed A41 Apsley diversion road scheme.
2. The confined nature of the site will result in a lack of space for the parking and manoeuvring of vehicles.
3. Access to the proposed development is inadequate and unsuitable for the additional traffic which would be generated.
4. The proposal would result in the redevelopment and extension of a badly sited use which would result in a deterioration of existing environmental conditions contrary to Policy 52 of the District Plan.
5. There is inadequate provision for vehicle parking on the site to serve the proposed development and other existing uses.

Dated ..First..... day of February..... 19 90

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 the date 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.

PLANNING DEPARTMENT

Mr C G B Barnard MSc Dip TP MRTPI  
Chief Planning Officer  
Dacorum Borough Council  
Civic Centre  
Marlowes  
Hemel Hempstead  
Herts HP1 1HH



To Mr and Mrs A Beck  
12 Apollo Way  
Hemel Hempstead  
Herts

TP Ref: 4/1810/89DN

Dear Sir

Your application dated 31.10.1989 has been considered under the provisions of s.53 of the Town and Country Planning Act 1971, to determine whether planning permission is required in respect of

(Section 53 Determination) Side Extension  
at 12 Apollo Way Hemel Hempstead

You are hereby given notice that the proposals set out therein ~~do~~<sup>do</sup>  
~~not~~ constitute development within the meaning of the said Act,  
~~and therefore~~/but


<sup>x</sup>  
(a) ~~xxx~~ planning permission ~~must be obtained before any such proposals~~  
~~can be carried out~~

(b) do not require the permission of the local planning authority.

The grounds for this determination are as follows:

The proposed development falls within the limits permitted by  
Class A Part I Schedule 2 of the Town and Country Planning  
General Development Order 1988.

Dated 3 January 1990 Yours faithfully

  
Chief Planning Officer

(See notes on reverse)

## NOTES

1. Any person who desires to appeal -
  - (a) against a determination of the local planning authority under s.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 (ie 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.