

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

1122



DACORUM BOROUGH COUNCIL

To Mr and Mrs Rix  
44 St Mary's Avenue  
Northchurch  
Herts

Mr P W Abbiss FRICS  
'Flintwood'  
Kingsdale Road  
Berkhamsted  
Herts

.....Single storey extensions and double garage.....  
.....  
at ... 44 St. Mary's Avenue, Northchurch.....  
.....

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 ..... 15 January 1988 ..... and received with sufficient particulars on ..... 18 January 1988 ..... 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 construction of the proposed side extension and driveway would be detrimental to the survival of an existing oak tree that is protected by a Tree Preservation Order, and that is of great amenity value.
2. Due to the slope of the land the proposed utility window in the northern elevation would overlook the rear garden of the adjoining property and would result in an unacceptable loss of privacy for its residents.

Dated ..... 18th ..... day of ..... March ..... 19 88 ..

Signed..... *Wm Barnard* .....

Chief Planning Officer

#### 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.