

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Charles Church Estates Limited
Charles Church House
Baring Road
Beaconsfield
Bucks

Change of use of residents' manager's flat to flat for
the occupation of person(s) not employed as Manager
at 'Dunsley Place', Land adjoining 'The Garden House',
London Road, Tring

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 **26 January 1990** and received with sufficient particulars on **2 February 1990** and shown on the plan(s) accompanying such application..

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

The manager's flat forms an integral part of the layout of Dunsley Place which includes 17 dwellings which are the subject of occupancy restrictions based upon age. Notwithstanding the relative isolation of the manager's flat, by reason of its location, relationship to the remainder of the development and adjoining land, this unit occupies an important strategic location within the site layout in terms of security. The local planning authority is of the opinion that the flat, which was specifically designed for a manager, is not suitable for use as residents' accommodation, as windows of the northern elevation of the flat unit face directly towards, and are very close to, the rear of nearby units. Whereas this situation provides a high level of surveillance and security if the unit were occupied by a manager/warden responsible for the daily management of the site, the occupation of this flat by a resident would result in unacceptable overlooking and a lack of privacy.

Dated **Fifth** day of **April** 19 **90**

Signed *[Handwritten Signature]*

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.