

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



## DACORUM BOROUGH COUNCIL

To Banner Homes plc  
Wycombe 3  
Boundary Road  
Loudwater  
High Wycombe Bucks HP10 9PN

P J McCann B.Sc DipTP M.R.T.P.I.  
c/o Banner Homes plc

Erection of 7 houses and 35 elderly persons (Category  
2) flats, parking and access (Outline)  
at Rear of 212 St John's Road, Hemel Hempstead

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 February 1990 and received with sufficient particulars on 8 March 1990 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 development is excessive on a site which is inadequate satisfactorily to accommodate the proposal together with the necessary amenities and vehicle parking facilities.
- (2) The proposed development would have an unsatisfactory relationship with the housing scheme approved on adjoining land to the east, and would have a detrimental effect on the privacy and amenities of the occupants of those dwellings.
- (3) The proposed development does not meet the criterion for "sheltered housing" for the elderly, in that the development cannot be totally linked to communal facilities by covered heated corridors. Accordingly, the scheme should be considered as one for the more active elderly. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority for this type of development.

Dated Twenty-sixth day of April 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.