

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To

Mrs I M Taylor
1 Murray Road
Berkhamsted
Herts.

Mr G V Bunyan
14 Queen's Road
Berkhamsted
Herts.
HP4 3HU

..... Dwelling (Outline)

.....

at Land adjoining 1. Murray Road, Berkhamsted,

..... 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 dated13 March 1990..... and received with sufficient particulars on15 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, due to its siting and position would preclude the planting of two trees on the site which are required by conditions on a consent granted under TP0 38 to replace two sycamore trees (which have been felled as a result of that application) which are necessary to preserve and enhance the visual amenity and character of the area.
2. The proposed development would involve the removal of a yew tree (the subject of a Tree Preservation Order) in the north west part of the site which would prove harmful to the visual amenity and character of the area.
3. The presence of a group of sycamores on the north west part of the site give the area a pleasant wooded appearance. If the proposed development were to proceed, it is likely that a number of these trees may be removed or pruned in order to utilise garden space to the rear of the proposed dwelling, thus causing harm to the appearance and character of the area.

Dated12th..... day of June 19 90

Signed.....

Director of Planning

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.