

Town Planning 4/0565/78

Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To I. Brown, Esq.,
 Acting on behalf of the
 Trustees of Berkhamsted Town Hall,
 Clerk to the Council,
 Berkhamsted Town Council,
 Civic Centre,
 BERKHAMSTED,
 Herts.

..... Alterations and New Building to provide social
 amenities and commercial space
 at Town Hall, High Street, Berkhamsted.

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 permit the development proposed by you in your application dated 27th April, 1978,
 and received with sufficient particulars on 4th May, 1978,
 and shown on the plan(s) accompanying such application, subject to the following conditions:—

- (1) The development to which this permission relates shall be begun within a period of ... 5 ... years commencing on the date of this notice.
- (2) No work shall be started on the development hereby permitted until details of materials to be used externally shall have been submitted to, and approved by, the local planning authority.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:—

(1) To comply with the requirements of Section 41 of the Town & Country Planning Act, 1971.

(2) To ensure satisfactory appearance.

Dated.....**13th**.....day of.....**July,**.....19**78.**

Signed.....

Designation **Director of Technical Serv**

NOTE

(1) If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.

(2) 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 section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Whitehall, London, S.W.1.) 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.

(3) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State 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 Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, 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.

(4) 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 section 169 of the Town and Country Planning Act 1971.

The reasons for the Council's decision to grant listed building consent for the works proposed subject to the above conditions are:

To safeguard the character as a building of special architectural or historic interest of that part of the building which is shown on Drawing No. 191/13 as being retained.

Dated ... *19th* day of *August* 19*73*
Clerk/Surveyor of the Council.

NOTE

1. If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he may, by notice served within six months of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with part one Schedule 11 to the Town and Country Planning Act, 1971. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the local planning authority in regard to the proposed works are in progress.
2. If listed building consent 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 works which have been or would be permitted, he may serve on the council of the county district, in which the land is situated a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Section 190 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 section 171 of the Town and Country Planning Act, 1971.

Attention is drawn to section 55(2) of that Act, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the local planning authority) until notice of the proposal has been given to the Royal Commission on Historical Monuments, Fielden House, 10 Great College Street, London, S.W.1, and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.