

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Mr C Stafford
Bridge House
Bisham Road
MarlowClark Partnership
127 High Street
Rickmansworth

.....Three dwellings.....

.....

at Land at Berkhamsted Place, Castle Hill,

..... 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 refuse the development proposed by you in your application dated .. 14th. June. 1982 and received with sufficient particulars on .. 23rd. June. 1982 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 site is within an area referred to as being within the extension of the Metropolitan Green Belt in the Approved County Structure Plan 1979, and is shown as such on the Proposals Map of the deposited Dacorum District Plan. Within the Green Belt, planning permission will only be given for use of land for construction of new buildings, changes of use or extension of existing buildings for agricultural or other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. No such need has been proven and the proposed development is unacceptable in the terms of this policy.
2. The site is not allocated for development in the Dacorum District Plan, in which adequate provision has been made to meet the housing needs of Berkhamsted up to 1991.

Cont'd.../

Dated 29th day of July 19 82

Signed.....


Designation ..Chief Planning Officer

3. The proposal would constitute an extension of development on the skyline beyond the well-defined northern boundary of Berkhamsted, and would be likely to affect adversely the trees on and adjacent to the site which are protected by a Tree Preservation Order.

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 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 District 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.
- (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.



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: Locaplan, Parl, London

Telephone: TRAFalgar 8020 , ext. 130

Please address any reply to
THE SECRETARY
and quote: APP/839/A/98595
Your reference:

25 NOV 1965

Sir,

Town and Country Planning Act 1962: Section 23
Appeal by Mr. R. Rolf

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. J. R. M. Poole, A.R.I.B.A., A.M.T.P.I., M.R.S.H., on the local inquiry into your appeal against the refusal of the Berkhamsted Urban District Council, acting on behalf of the Hertfordshire County Council, to permit the residential development of land at the rear of Berkhamsted Place, Berkhamsted.

2. The Inspector, a copy of whose report is enclosed, concluded that because the appeal site was near the crest of the south-facing slopes of the valley in which Berkhamsted lay the woodland on it formed an important beautiful feature of the landscape. That trees had been removed from the site in the past was unfortunate. Residential development of the site would involve the felling of more trees there and this would materially spoil the beauty of this woodland feature. He noted the extent to which new residential development had taken place south of the site up towards the skyline. It should not extend into the appeal site. From the public interest viewpoint these two factors were decisive and outweighed other considerations. He recommended that the appeal be dismissed.

3. It is noted that the appeal site has been included by the local planning authority in a proposed extension of the metropolitan green belt, which is now before the Minister as part of the review of the development plan. This has not yet been formally approved by the Minister, but in the area of the proposed green belt extension the local planning authority have, with his general agreement, been exercising control of development in accordance with green belt policy.

4. The Minister agrees with the Inspector's conclusions and accepts his recommendation; accordingly he hereby dismisses your appeal.

I am, Sir,
Your obedient Servant,

H. C. HOLLINGTON

(H. C. HOLLINGTON)

Authorised by the Minister
to sign in that behalf.

R. Rolf Esq.
Eyton Old Hall
NEAR LEOMINSTER
Hertfordshire



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: Locaplan, Parl, London

Telephone: TRAFalgar 8020 , ext. 130

Please address any reply to

THE SECRETARY

and quote: AFP/839/A/39670

Your reference:

25 NOV 1965

Gentlemen,

Town and Country Planning Act 1962: Section 23
Appeal by Mrs. F. G. Stafford

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. J. R. M. Poole, A.R.I.B.A., A.M.T.P.I., M.R.S.E., on the local inquiry into your client's appeal on her application for planning permission for the erection of ten dwellings or seventeen flats on land at Berkhamsted Place, Castle Hill, Berkhamsted, in respect of which a decision was not given by the Berkhamsted Urban District Council, acting on behalf of the Hertfordshire County Council, within the prescribed statutory period.
2. The Inspector, a copy of whose report is enclosed, concluded that Berkhamsted Place was a fine and now rare example of a Tudor mansion with important historical associations. Unfortunately it had fallen into a bad state of repair. He noted that a consent for the conversion of the mansion into five dwellings was not implemented at a time when the building was in a better state of repair than at present. Nevertheless, the Mutual Households Association, who had recently studied the existing structure with care, considered it would be an economic proposition for them, subject to their being able to obtain the necessary loan, to convert this building into satisfactory present-day residential accommodation. The conversion of this mansion into satisfactory residential accommodation, thereby preserving a building of special architectural and historic interest, was an entirely different concept from that of its demolition and the use of a much larger area of the site than was occupied by the existing building for the erection of new dwellings. Because the site was at the crest of the south facing slopes of the valley in which Berkhamsted lay the woodland on it formed part of an important beautiful feature of the landscape. The proposed development would involve removal of trees from the site and the material spoilation of this woodland feature. He noted the extent to which new residential development had already taken place south of the site up towards the skyline. It should not extend into the appeal site. He considered that from the public interest standpoint these two factors were decisive and outweighed other considerations. He recommended that planning permission be refused.
3. The Minister agrees with the Inspector's conclusions and accepts his recommendation; accordingly he dismisses the appeal and hereby refuses planning permission for the development which was the subject of the application.

I am, Gentlemen,
Your obedient Servant,

H. C. HOLLINGTON

Messrs. Willmetts and Company
Solicitors
39 Windsor Road
SLOUGH
Bucks.

(H. C. HOLLINGTON)
Authorised by the Minister
to sign in that behalf.