

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

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DACORUM BOROUGH COUNCIL

To Gadebridge Property Company
72 Alma Road
St Albans

Maurice Phillips Partnership
10 Sovereign Park
Cleveland Way
Hemel Hempstead

Category 2 elderly persons' development of 35 flats
and 1 warden's flat
at 'Hansel' and 'Greenside', High Street Green, and 7
Branksome Close, 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 ... 28.4.89 and received with sufficient particulars on ... 2.5.89 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 will have a seriously detrimental effect on the health and long-term well-being of a number of trees protected by a Tree Preservation Order. The protected trees and dense boundary hedging are a valuable contribution to the visual amenity and character of the area which would suffer serious harm as a result of the development.
3. The proposed means of access is unsatisfactory, due to the proximity of the roadway to the boundary of 5 Branksome Close and to the trees on the roadside verge, which would create a traffic hazard and result in conditions detrimental to highway safety.

Dated day of 19

Cont'd...

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 receipt 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.

4. Use of the proposed access, in close proximity to property boundaries, will result in a loss of privacy and amenity to the occupiers of Nos.5 and 9 Branksome Close.

Dated 29th day of June 1989

Signed 

Designation Chief Planning Officer