

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

Other  
Ref. No. ....THE DISTRICT COUNCIL OF ..... DACORUM .....

IN THE COUNTY OF HERTFORD .....

To  
Roger Malcolm Limited  
Malcolm House  
Empire Way  
Wembley  
Middlesex

..... Residential developments, Phase II .....

.....

at ..... Springwood, High Street .....

..... Northchurch .....

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 ..... 30th July 1982 ..... and received with sufficient particulars on ..... 2nd August 1982 amended 7th Sept. 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. This site is included in the Proposed Modifications to the District Plan for development for residential purposes in the period 1986-1991. Sufficient land is included in the Proposed Modifications for residential development in the period 1981-1986 to meet the housing control levels set out in the Proposed Alterations to the Hertfordshire County Structure Plan.
2. Development on this site will not be permitted in advance of the construction of the Berkhamsted By-Pass, since the proposed additional housing would generate a significant increase in vehicular traffic on the A41, the result of which would aggravate an already acute situation on the local road network through Berkhamsted.
3. The development of this site by the erection of three-storey buildings alongside the Grand Union Canal would be out of Character with existing

Dated ..... 9th ..... day of ..... September ..... 19 82... Contd. overleafSigned .....  .....Designation ..... Chief Planning Officer .....

Continued ...

and proposed residential development in this area, and would have an undesirable visual impact on views of this edge of Berkhamsted, contrary to Policy 24 of the District Plan.

#### 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.