

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



## DACORUM BOROUGH COUNCIL

To P. Rogan, Esq.  
34 The Avenue  
Watford  
Herts.

Maurice Phillips Partnership  
10 Sovereign Park  
Cleveland Way  
Hemel Hempstead  
Herts. HP2 7DL

.....Two storey office extension.....  
.....  
at ..... The Old Surgery, Vicarage Lane, Kings Langley, ...  
..... 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 dated .....7 July 1989..... and received with sufficient particulars on .....10 July 1989..... 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 proposal is contrary to Policy 53 of the Dacorum District Plan which states that office development will normally only be granted in the defined commercial areas of Berkhamsted, Hemel Hempstead and Tring.
2. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.
3. The proposed extension is within 6 m of a yew tree (which is the subject of a Tree Preservation Order) and a second visually important tree on this site. Having regard to the closeness of the proposed building work and the need for adequate working space, there is likely to be unacceptable damage to the branches and compaction of the root systems of these trees. In addition, the proposed parking bay beneath the yew tree is likely to have similar harmful effects and, given the trees' location on the south side of the building, there is likely to be pressure for pruning to prevent loss of light to the building, which would unacceptably spoil the appearance of these two trees.

Dated .....7th..... day of .. September ..... 1989

Signed.....

SEE NOTES OVERLEAF

P/D.15

Chief Planning Officer

## 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.