

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To CLANCY DEVELOPMENTS LTD
CLARE HOUSE
COPPERMILL LANE
HAREFIELD
MIDDX.

Edward J Payne & Associates
Saddler's House
High Street
Chalfont St Giles

.....Two dwellings.....
.....
at ..Land R/O Kilfillan House, Kilfillan Gardens.....
.....Graemesdyke Road, 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 dated11 January 1989..... and received with sufficient particulars on24 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. Having regard to the position and importance of the existing trees on the site which are protected by a Tree Preservation Order, only two small houses could be accommodated satisfactorily on the application site, together with necessary access, garaging and turning facilities. In the opinion of the local planning authority, such small dwellings would be uncharacteristic of residential development in the area and would appear cramped on the site and incompatible with the general appearance of the area.
2. Provision of the required visibility sight line will necessitate the removal of part of a substantial boundary wall and hedge, to the detriment of the character and appearance of the area.

Dated 3rd day of January 19 90

Signed.....*Wm Banerjee*.....

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.