

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



## DACORUM BOROUGH COUNCIL

To                      March House Developments Ltd                      Woods hardwick Ltd  
                            42 Vandyke Road    17 Goldington Road  
                            Leighton Buzzard    Bedford MK40 3NH

..... Two and three storey building with ground floor shops  
for retail (Class A1) use and for provision of  
..... financial and professional (Class A2) services, first  
and second floor offices and parking  
at .....  
..... 112-118 High Street, 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 ..... 27 July 1989 ..... and received with sufficient particulars on ..... 2 August 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 proposed building, due to its height and mass, would have a seriously detrimental effect from overshadowing and loss of daylight on the amenities currently enjoyed by the occupants of adjacent dwellings to the north-west of the site.
2. There is inadequate parking provision to serve the amount of floorspace proposed in the development, and inadequate delivery space to serve the proposed shops.
3. The site lies in the designated Berkhamsted Conservation Area, and the detailed design of the building, in particular the insufficient amount of brickwork at the ends of the two and three storey blocks, which is inconsistent with Georgian proportions, would result in a building that would not enhance or preserve the character or appearance of this part of the Conservation Area.
4. The development would result in the net loss of a shop which would adversely affect the strength and balance of the shopping function in an important secondary shopping frontage which links the principal shopping area of Berkhamsted with the retail uses at the south-eastern end of the High Street.

Dated ..... 19th ..... day of ..... October ..... 89

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.