

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

DACORUM

THE DISTRICT COUNCIL OF

IN THE COUNTY OF HERTFORD

To Mr. & Mrs. R. Denton,
41 Alexandra Road,
HEMEL HEMPSTEAD,
Herts.

Mr. B. Francis,
Messrs. Poulter & Francis,
57 Marlowes,
HEMEL HEMPSTEAD,
Herts.

Change of use of ground floor from residential to
offices
at 41 Alexandra Road, 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 7th December, 1978, and received with sufficient particulars on 12th December, 1978, and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:—

1. Policy 6 of the submitted County Structure Plan states that office development will be restricted to existing commitments as at 1st January, 1976 and the application premises are not so committed. There is no evidence to suggest that existing office commitments in Hemel Hempstead are not adequate for local needs. Moreover, the development proposed will result in the loss of residential accommodation which is considered capable of continued residential use and is thus in conflict with a further provision of the office policy in the submitted County Structure Plan.
2. The proposed use as offices would adversely affect the amenities of adjacent residential properties.
3. The proposal makes no provision for car parking within the curtilage of the site which will lead to the parking of vehicles on the adjacent public highways to the detriment of the safety and free flow of traffic and pedestrians thereon.

Dated 25th day of January, 1979.

Signed.....

Designation Director of Technical Services

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.