



Department of the Environment

Room 10/23

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CHIEF PLANNING OFFICER
DACORUM BC
CIVIC CENTRE
HEMEL HEMPSTEAD
HERTS. HP1 1HH

Your reference

4/1865/89.

Our reference

APP/A19/0 1A/90/15/604

Date

3/7/90

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1971

APPEAL SUMMIT HOMES LTD

SITE AT CHESHAM RD, BERKHAMSTED

I am writing to tell you that this appeal has been withdrawn and we will be taking no further action on it. The remaining appeal (your ref: 4/0301/90) will continue to inquiry on 4 December 1990.

Yours faithfully

P. Howell

DEPARTMENT OF THE ENVIRONMENT Bristol City Council				
			Ack.	
D.P.	D.C.	B.C.	Admin.	File
	<input checked="" type="checkbox"/>			
4 JUL 1990				
Comments				

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Summit Homes Limited
Berkley House
Barnet Road
London Colney
Herts

Vincent &Gorbing
Sterling Court
Norton Road
Stevenage
Herts

11 Town Houses, 9 flats, 4 detached dwellinghouses,
associated garaging and car parking and provision of
vehicular access
at Former site of Beechcroft, Beechcroft Cottage
and Kinghoe, Chesham 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 dated 19 October 1989 and received with sufficient particulars on 14 November 1989 and shown on the plan(s) accompanying such application.

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

The site distinguished by the extent of its coverage by trees and variable levels and makes a valuable contribution to the visual amenity of Chesham Road and wider views. Taking into account the site characteristics, the local planning authority is of the opinion that the number and arrangement of units is excessive and would result in a cramped form of development, failing to meet the Council's environmental guidelines as specified in Policy 66 of the adopted Dacorum District Plan for the following reasons:

1. The poor relationship between the proposed units on the southern edge of the site and Alderly Court which is positioned at a significantly higher level. The proposed units would be subject to a lack of privacy due to overlooking and overshadowing.

continued/...

Dated day of 19

Signed *Wm Barnard*

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 the date 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.

4/1865/89 continued

2. The juxtaposition of some proposed units to trees which are of high amenity value and worthy of long term retention. The position of some units would be likely to prejudice the retention of these important trees.
3. The lack of amenity space associated with some of the proposed units and the overall amount of hard surfacing associated with the front curtilages of Units 1 to 9 on the southern side of the site.
4. Failure to meet the highway standards required to provide a safe and satisfactory layout.
5. Insufficient car parking to meet the standards adopted by the local planning authority.
6. A lack of information relating to the extent of the existing landscaping to be retained and provision for the future maintenance of the embankment alongside Chesham Road.

Dated 1 day of February 1990

Signed



CHIEF PLANNING OFFICER