

H.C.C. Code No. W/5/64

L.A. Ref. No. 313/63

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the BOROUGH OF
URBAN DISTRICT OF BERKHAMSTED.
RURAL DISTRICT OF

TOWN & COUNTRY PLANNING ACT, 1962

To W.B.Pritchard Esq.,
per P.Fountaine Esq.,
85 High Street.
CHESHAM.

Outline application for site for two dwellings
at in grounds of "Highcroft" Meadway.

Brief description and location of proposed development.

In pursuance of their delegated powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council on behalf of the Local Planning Authority hereby refuse the development proposed by you in your application dated 18.12.63. and received with sufficient particulars on 20.12.63. and shewn on the plan(s) accompanying such application.

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

That development of this site by two dwellings would be excessive having regard to the character of adjacent residential development.

Dated 16th day of January 19 64

[Handwritten signature]
Clerk of the Council

NOTE.

(1) If the applicant wishes to have an explanation of the reasons for this refusal 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 by notice served within one month of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 23 of the Town and Country Planning Act, 1962. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the local planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such 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 provision of Section 17(1), 18(1) and 38 of the Act and 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 Minister of Housing and Local Government, 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 Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.

(4) In certain circumstances, a claim may be made against the local planning authority or the Minister of Housing and Local Government for compensation, where permission is refused, or granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 123 and Part VI of the Town and Country Planning Act, 1962.



MINISTRY OF HOUSING & LOCAL GOVERNMENT
Whitehall, LONDON, S.W.1

Telegrams: *Locoplan, Parl, London*
Telephone: VICTORIA 8540 , ext.

Please address any reply to

THE SECRETARY

and quote: APP/839/A/79714

Your reference: PJF/SF

5 AUG 1964

Sir,

Town and Country Planning Act 1962: Section 23
Appeal by Mr. W. B. Pritchard
Application No. W/5/64

I am directed by the Minister of Housing and Local Government to refer to your client's appeal against the refusal of Berkhamsted Urban District Council, acting on behalf of Hertfordshire County Council, to permit the erection of two dwellings in the grounds of Highcroft, Meadway, Berkhamsted.

The Minister has considered the representations made in support of the appeal and the council's observations. One of his Inspectors has visited the site.

The Meadway estate consists largely of post-war dwellings on plots of various sizes. Your client's property, which has a road frontage of about 215 feet and a depth of about 305 feet, appears to be the largest plot on the estate in single occupation, several of the original plots having been subdivided. The two dwellings proposed would have road frontages of 55 feet, less than the average in the area, but they would have longer gardens and larger curtilages than several other dwellings in Meadway. In view of the variations in the size of plots and the style and character of the existing houses, the Minister does not consider that the proposed development would be excessive or detrimental to the character of the area. He has therefore decided to allow the appeal and he hereby gives permission for the erection of two dwellings on the land in question, subject to the condition that the siting, design and external appearance of the buildings and the means of access thereto shall be as may be agreed with the local planning authority or, in default of agreement, as shall be determined by the Minister.

This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 13 of the Town and Country Planning Act 1962.

I am, Sir,

Your obedient Servant,

(Signed) D. G. POMEROY

(D. G. POMEROY)

Authorised by the Minister
to sign in that behalf

BERKHAMSTED U.D.C.
CLERK'S DEPT.
Rec'd 6 AUG 1964
Pass to.....
Noted by.....
Ans'd.....

P. Fountaine, Esq., F.R.S.A.
85 High Street
CHESHAM
Bucks.