

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To **F.G.Fleming Esq.,
Kingswood,
New Road,
NORTHCHURCH.**

Conversion of Store Building for Light
Industrial Use, Erection of Offices and
at Cycle Shelter at Belton Road, Berkhamsted.

29 JUN 1962

Brief description and location of proposed development.

In Pursuance of their powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, ~~and under the COUNTY OF HERTFORD (Delegation of Planning Powers) Scheme, 1962,~~ the Council on behalf of the Local Planning Authority **hereby refuse** the development proposed by you in your application dated 24.3.62. and received with sufficient particulars on 30.3.62. and shewn on the plan(s) accompanying such application.

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

1. The proposed development would be contrary to the provisions of the Berkhamsted Town Map, wherein the site is included in an area allocated primarily for residential use. It is considered that adequate provision has been made in the Berkhamsted Town Map for industrial land.
2. The introduction of a non-conforming industrial use would be likely to give rise to conditions which would be prejudicial to the amenities of occupiers of nearby residential properties to the North and in the anticipated redevelopment area to the South by reason of noise and general nuisance.

Dated 26th day of June, 1962

S. Redding
Clerk/Surveyor of the Council

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 by notice served within one month of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 16 of the Town and Country Planning Act, 1947. 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 provisions of Section 14 of the Act and 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 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 Borough or 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 19 of the Town and Country Planning Act, 1947.

(3) 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 20 of the Town and Country Planning Act, 1947, and Part II of the Town and Country Planning Act, 1954.

If you wish to have a further explanation of the reason for this decision, it will be given on request and a meeting arranged if necessary.

58/62

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

CB



Telegrams: *Locoplan, Parl, London*

Telephone: VICToria 8540 , ext. 109

Please address any reply to

THE SECRETARY

and quote: APP/839/A/64890

Your reference:

25 APR 1963

Sir,

Town and Country Planning Act 1947 - Section 16
now
Town and Country Planning Act 1962 - Section 23
Land at Belton Road, Berkhamsted

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. B. Pearson, A.M.I.Mun.E., A.M.T.P.I., on the local inquiry into your appeal against the decision of the Berkhamsted Urban District Council, acting on behalf of the Hertfordshire County Council, to refuse permission for the use of buildings for light industry and the building of offices with car parking, toilet facilities and bicycle sheds on land at Belton Road, Berkhamsted.

... 2. The Inspector, a copy of whose report is enclosed said that the proposal sought to change the use of the site from storage, warehousing and lock-up garages to light industry; it also involved a considerable extension to the working space available for an unspecified light industry; the proposal could result in an increased use of the narrow cul-de-sac, Belton Road, by traffic and in a considerable number of employees being engaged upon the site which intruded into an area where some dwellings existed and residential development was intended on nearby land. In the town map area there were sites allocated and available for industry, while this proposal to erect utilitarian buildings and locate two of them on the boundaries of the site might prejudice the residential development which could be undertaken on the adjoining land. He recommended that the appeal be dismissed.

3. The Minister agrees with the findings of his Inspector and accepts his recommendation; accordingly he dismisses your appeal.

I am, Sir,
Your obedient Servant,

E. M. BARBER

(MISS E. M. BARBER)

Authorised by the Minister
to sign in that behalf

F. G. Fleming Esq.,
Kingswood
New Road
Northchurch
BERKHAMSTED
Herts