

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To ^{Memo} Messrs. A.G. & C.J. Burgoine Ltd., and, C.F. & O.W. Osborne.
p.p. Messrs. P. Fountaine and Cruickshank,
85, High Street.
CHESHAM. BUCKS.

.....
Site for residential development of land
at between Southbank and Northbridge Road,
Berkhamsted,

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 Functions) Scheme, 1952~~ the Council on behalf of the Local Planning Authority **hereby refuse** the development proposed by you in your application dated 2.5.62. and received with sufficient particulars on 4.5.62. 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 land is within a white area on the Berkhamsted Town Map, and the proposed development for residential purposes would be contrary to the provisions of the County Development plan as approved by the Minister in December, 1958.
2. The proposed development would be likely to be prejudicial to the proper consideration of the Review of the Berkhamsted Town Map which is due for submission to the Minister in December 1963.
3. There is land zoned for residential purposes within the development area of Berkhamsted which is not yet fully developed, and in the opinion of the Local Planning Authority there are no special circumstances to justify the proposed development of the land.

Dated 25th day of June, 1962.

S. Reddy
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.



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: Locoplan, Parl, London

Telephone: VICTORIA 8540 , ext. 126

14 JUN 1963

Please address any reply to

THE SECRETARY

and quote: APP/839/A/64103

Your reference:

Gentlemen,

Town and Country Planning Act 1947 - Section 16
(now Town and Country Planning Act 1962 - Section 23)
Land at Southbank Road and Northbridge Road, Berkhamsted
Appeal by Messrs. A. G. and G. J. Burgoine Limited and
Messrs. C. F. and O. W. Osborne

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. R. Woodford, Dip.T.P., A.M.T.P.I., on the local inquiry into your clients' appeal against the decision of the Berkhamsted Urban District Council acting on behalf of the Hertfordshire County Council, to refuse permission for the residential development of land between Southbank Road and Northbridge Road, Berkhamsted.

... 2. The Inspector, a copy of whose report is enclosed, stated that the need to allow the appeal site to be developed in order to meet the demand for dwellings in Berkhamsted in advance of the review of the development plan had not been proved. Moreover, the site was not well suited to residential development because of the limitations of the approach roads Billet Lane and New Road, the narrow canal bridges, the lack of provision for vision splays from Southbank Road to New Road and the existence of the industrial estate at Northbridge Road. He recommended that the appeal be dismissed.

3. The Minister agrees with his Inspector's conclusions and accepts his recommendation; accordingly he dismisses your clients' appeal.

I am, Gentlemen,
Your obedient Servant,

(J. W. STORR)

Authorised by the Minister
to sign in that behalf.

1. Messrs. Denman, Johnson and
Ewins
Solicitors
19 Clarendon Road
WATFORD
Hertfordshire
2. Messrs. Harrowell and Atkins
Solicitors
271 High Street
BERKHAMSTED
Hertfordshire.

