

H.C.C. Code No. W/944/61.

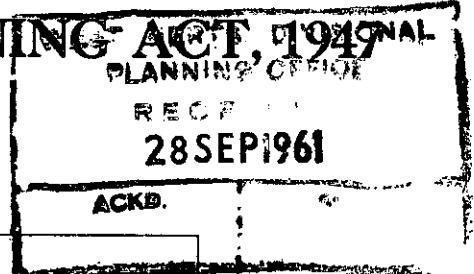
L.A. Ref. No. 140/61.

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To R.G. Sell Esq.,
per Messrs. Willis and Johnson,
Dingley Place,
City Road. LONDON E.C.1.



Site for dwelling
at on land forming part of grounds of "Appledore"
Kingshill Way.

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 Council on behalf of the Local Planning Authority hereby refuse the development proposed by you in your application dated 5.5.61. and received with sufficient particulars on 8.5.61. and shewn on the plan(s) accompanying such application.

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

The proposed development would be detrimental to this part of Berkhamsted which provides for a certain standard of residential development.

Dated 21st day of September, 19561.

Handwritten signature: 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.

CB



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: *Locoplan, Parl, London*

Telephone: VICTORIA 8540 , ext. 126

Please address any reply to

THE SECRETARY

and quote: APP/839/A/52365

Your reference: AWW/MCW/L

27 AUG 1962

Gentlemen,

Town and Country Planning Acts, 1947 - 1959
Land at "Appledore", Kingshill Way, Berkhamsted
Appeal by Mr. R.G. Sell

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. E. Oakley, F.R.I.B.A., on the local inquiry into your client's appeal against the decision of the Berkhamsted Urban District Council, acting on behalf of the Hertfordshire County Council, to refuse permission for the construction of a dwelling on part of the garden to "Appledore", Kingshill Way, Berkhamsted.

2. The Inspector, a copy of whose report is enclosed, was of the opinion that a dwelling erected as indicated on the submitted plans, would be conspicuous, detract from the open appearance in the vicinity and be injurious to the amenities now enjoyed by the occupiers of "Little Hey", "Purbrook", and the cottages on the opposite side of Kings Road. He did, however, consider that it was reasonable to allow another house within the curtilage of "Appledore" and suggested that the problem of siting would be solved if the proposed house was placed more in line with existing development to the north-west of "Appledore" and at a similar distance from that house to "Little Hey". He therefore recommended that the appeal be dismissed without prejudice to a fresh application being made on these lines.

3. The Minister agrees with the findings of his Inspector and accepts his recommendation; accordingly he dismisses your client's appeal without prejudice to a fresh application being made on the lines indicated by the Inspector.

I am, Gentlemen,
Your obedient Servant,

E. M. BARBER

(MISS E. M. BARBER)

Authorised by the Minister
to sign in that behalf.

Messrs. Goodman, Brown and Warren,
Solicitors,
30, John Street,
LONDON, W.C.1.