

ADMINISTRATIVE COUNTY OF HERTFORD

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

TOWN & COUNTRY PLANNING ACT, 1962

To M.F.Developments Ltd.,
Hill Farm Avenue
Leavesden.
Watford. Herts.

Layout of 8 detached, and 24 semi-detached houses
at "Coombe Cottage", High Street, Northchurch.

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 permit the development proposed by you in your application dated 27.4.64 and received with sufficient particulars on 30.4.64 and shewn on the plan(s) accompanying such application, subject to the following conditions:—

- 1. The development hereby permitted shall comply with any requirements of the Highway Authority in respect of the access of the proposed cul-de-sac to the Trunk Road.
- 2. The screen fences indicated on the layout plan shall be erected at the same time as the development hereby permitted and shall be of a height and materials as agreed with the Local Planning Authority.
- 3. The amenity greenswards shall be laid out and the trees indicated on the plan, planted within two years of the date of this permission and thereafter maintained to the reasonable satisfaction of the Local Planning Authority.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:—

1. To ensure the proposed development complies with the requirements of the Highway Authority for the Trunk Road.
- 2 & 3, In the interest of the visual amenities of the proposed development and the locality.

Dated 18th day of September, 1964

J. C. Redding.
Clerk/Secretary of the Council.

NOTE.

(1) If the applicant wishes to have an explanation of the reasons for this decision 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 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 provisions 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 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: *Locaplan, Parl, London*

Telephone: TRAfalgar 8020 , ext. 130

Please address any reply to

THE SECRETARY

and quote: AFP/839/A/89670

Your reference:

25 NOV 1965

Gentlemen,

Town and Country Planning Act 1962:Section 23
Appeal by Mrs. F. G. Stafford

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. J. R. M. Poole, A.R.I.B.A., A.M.T.P.I., M.R.S.H., on the local inquiry into your client's appeal on her application for planning permission for the erection of ten dwellings or seventeen flats on land at Berkhamsted Place, Castle Hill, Berkhamsted, in respect of which a decision was not given by the Berkhamsted Urban District Council, acting on behalf of the Hertfordshire County Council, within the prescribed statutory period.
2. The Inspector, a copy of whose report is enclosed, concluded that Berkhamsted Place was a fine and now rare example of a Tudor mansion with important historical associations. Unfortunately it had fallen into a bad state of repair. He noted that a consent for the conversion of the mansion into five dwellings was not implemented at a time when the building was in a better state of repair than at present. Nevertheless, the Mutual Households Association, who had recently studied the existing structure with care, considered it would be an economic proposition for them, subject to their being able to obtain the necessary loan, to convert this building into satisfactory present-day residential accommodation. The conversion of this mansion into satisfactory residential accommodation, thereby preserving a building of special architectural and historic interest, was an entirely different concept from that of its demolition and the use of a much larger area of the site than was occupied by the existing building for the erection of new dwellings. Because the site was at the crest of the south facing slopes of the valley in which Berkhamsted lay the woodland on it formed part of an important beautiful feature of the landscape. The proposed development would involve removal of trees from the site and the material spoliation of this woodland feature. He noted the extent to which new residential development had already taken place south of the site up towards the skyline. It should not extend into the appeal site. He considered that from the public interest standpoint these two factors were decisive and outweighed other considerations. He recommended that planning permission be refused.
3. The Minister agrees with the Inspector's conclusions and accepts his recommendation; accordingly he dismisses the appeal and hereby refuses planning permission for the development which was the subject of the application.

I am, Gentlemen,
Your obedient Servant,

H. C. HOLLINGTON

Messrs. Willmetts and Company
Solicitors
39 Windsor Road*
SLOUGH
Bucks.

(H. C. HOLLINGTON)
Authorised by the Minister
to sign in that behalf.