

### ADMINISTRATIVE COUNTY OF HERTFORD

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

## TOWN & COUNTRY PLANNING ACT, 1962

To **R.S.Giles Esq.,  
 55, Ellesmere Road.  
 BERKHAMSTED.**

|                                                                       |
|-----------------------------------------------------------------------|
| Outline application for Bungalow<br>at <b>Bank Mill, Berkhamsted.</b> |
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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 **29.4.64.** and received with sufficient particulars on **1.5.64.** and shewn on the plan(s) accompanying such application.

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

**That the area shown on the application is insufficient in size for the proper siting of the proposed dwelling and that such area has been obtained only by reducing in extent the site of another dwelling for which planning consent has already been issued.**

Dated **19th** day of **June** 19 **64**

*J. C. Redding*  
 Clerk/Surveyor 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.

1419



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

Telegrams: *Locoplan, Parl, London*

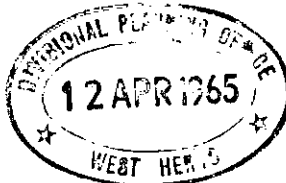
Telephone: VICTORIA 8540 , ext.

Please address any reply to

THE SECRETARY

and quote: APP/839/A/85565

Your reference: AJH/AJB



30 MAR 1965

Sir,

Town and Country Planning Act 1962: Section 23  
Application No. W/1149/64  
Appeal by Mr. R.S. Giles

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. W.E. Heijne, B.Sc., A.R.I.C.S. who held a local inquiry into your client's appeal against the refusal of Berkhamsted Urban District Council, acting on behalf of Hertfordshire County Council, to permit the erection of a bungalow and two garages on land at Bank Mill, Berkhamsted. At the inquiry the application was amended to include one garage instead of two.
2. A copy of the Inspector's report is enclosed.
3. The Inspector finds that the space to be provided around the proposed bungalow is not materially less than that provided for the two dwellings on plot "A" and for "Haven Croft", fronting the same section of road as the appeal site between the railway bridge and "Rose Cottage". He concludes that in this location and in the circumstances the site is adequate for a bungalow of the size proposed and for one garage, and that the transfer of the strip of land from plot "B" to the site will not adversely affect enjoyment of plot "B". The Inspector adds that a satisfactory means of access to the site, taking into account the difference in levels between the site and the road, will have to be provided. He recommends that the appeal be allowed.
4. The Minister agrees with his Inspector's conclusions and accepts his recommendation. Accordingly the Minister allows the appeal and he hereby grants permission for the erection of a bungalow, sited in accordance with the deposited plan, and the erection of one garage on the land in question subject to the condition that the siting of the garage and the means of access thereto and the design and external appearance of the buildings shall be as may be agreed with the local planning authority or, in default of agreement, as shall be determined by the Minister.
5. 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,

A.J. Harry, Esq., MA.  
Solicitor  
5/6 Stephyns Chambers  
Bank Court  
Marlowes  
Hemel Hempstead  
Herts.

(Signed) D. G. POMEROY

(D. G. POMEROY)

Authorised by the Minister  
to sign in that behalf.