

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To The Berkhamsted Trading Co. per Messrs. Fuller Hall and Foulsham, 51, Marlowes, Hemel Hempstead.

(Outline) layout for flats at The Park Estate. at

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 7.11.61 and received with sufficient particulars on 8.11.61 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 of the site by 120 flats would be excessive in relation to the remainder of the Estate, which is developed by detached houses, and by over development of the site, the character and amenities of the residential area as a whole would be adversely affected.
2. The proposed layout by reason of the siting, distance between, and shallow building line of most of the blocks, would not permit of a landscaping scheme for the site of adequate scale to integrate the proposed blocks with their surroundings. A layout of the site allowing for the wider spacing of the blocks and land-scaping of the site by forest tree planning is considered to be necessary having regard to :-

Dated 21st day of December, 1961.

S. C. 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.

- (a) The very prominent position of the site.
 - (b) The tree belt which is treated in the application as a background to the development being outside the limits of the site and therefore not part of the development.
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