

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To **K.D.Gomm Esq.,
per Ian D.H.Preston,
Deep Mill Lane,
Great Missenden.**

Site for proposed showroom and storage for
light machine tools and ironmongery, lettable
storage, warehouse and small office at
29,31 and 33 Lower Kings Road.

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 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 **12.11.62.** and received with sufficient particulars on **15.11.62.** and shewn on the plan(s) accompanying such application.

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

1. It is considered that the inclusion of repair work to machinery in the proposed development would constitute industrial development and would be contrary to the provision of the Berkhamsted Town Map, in which the premises are allocated primarily for shopping use. The proposed development would be likely to be prejudicial to the amenities of adjoining occupiers of properties by reason of noise, general disturbance and additional vehicular traffic to and from the site and would therefore be unsuitable in the particular location.
2. The vehicular access from the highway to the site involving the passage along a private road against the general flow of traffic thereon of all vehicles likely to be associated with the proposed use of the premises, is considered to be unsatisfactory.

Dated **22nd** day of **February,** 195**63**

T. C. Redden
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.