



H.C.C. Code No. W/2345/62

L.A. Ref. No. 291/62

ADMINISTRATIVE COUNTY OF HERTFORD

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

TOWN & COUNTRY PLANNING ACT, 1962

To L.A.Pike Esq.,
per Messrs.W.Brown and Co.
128 High Street
BERKHAMSTED.

Outline application for redevelopment by shops,
offices and showrooms and flats
at 1, 1a, 3, 5 and 7 Lower Kings Road and
at 206, High Street, Berkhamsted.

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 6.12.62.
and received with sufficient particulars on 7.12.62.
and shewn on the plan(s) accompanying such application.

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

- 1. A substantial part of the application site is affected by a
highway improvement line and the proposed re-development would
be similarly affected.
2. From the information submitted with the application, the
Local Planning Authority are of the opinion that the amount of
the proposed redevelopment would be excessive, particularly
having regard to the shallowness of the site.
3. The application contains no information that adequate and
convenient loading and unloading facilities for the shops and
car parking space and garages for the proposed shops, offices
and flats could be provided within the site, and the proposed
redevelopment would, therefore, be likely to result in vehicles
standing on the nearby highways to the detriment of the safety
and free flow of traffic thereon.

Dated 24th day of June, 1963

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.