

H.C.C. Code No. W/2426/65  
L.A. Ref. No. BR/122/65

ADMINISTRATIVE COUNTY OF HERTFORD

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

TOWN & COUNTRY PLANNING ACT, 1962

To Mrs. I.A. Cook, 5 Vicarage Road, Potten End, Berkhamsted. per R.F. Stupples, Esq., 20 Woodlands Avenue, Berkhamsted.

Erection of one dwelling with integral garage on land adjoining at 5 Vicarage Road, Potten End, 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 19th November, 1965 and received with sufficient particulars on 24th November, 1965 and shewn on the plan(s) accompanying such application.

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

On 3rd March, 1960 the Local Planning Authority adopted a policy requiring the provision of a garage or a suitably designed parking space on which a garage would subsequently be built for every dwelling erected. Whilst the proposed dwelling includes a garage within the curtilage of the site, it precludes the provision of similar facilities for the adjoining property known as 5 Vicarage Road, contrary to the stated policy of the Local Planning Authority, which requires the provision of a garage or garage space for each dwelling.

Dated 3rd day of March 1966

[Signature] 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.