



Planning and Communications Department
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Director of Planning and Communications

Messrs. Dennis Lennon & Partners;
3, Fitzhardinge Street,
London, W1K 9PH.

Date **5 DEC 1972**
Your reference **NR/37**
Our reference **CEP/NS/11X/A/14523**
Telephone inquiries to: **Mr. French**
Ext. **216**

Dear Sir(s) or Madam,

TOWN AND COUNTRY PLANNING ACT 1971
Refusal of permission to develop

The Council, in pursuance of its powers under the above-mentioned Act and Orders made hereunder, hereby refuses to permit the development referred to in the undermentioned Schedule as shown on the plans submitted. Your attention is drawn to the Statement of Applicant's Rights set out overleaf.

SCHEDULE

Date of application: **4th September 1972**
Plans submitted: Reg. No: **14523** Your No: **J431/SK1, 2 and 3**
Development:

The redevelopment of an inland site bounded by Adelaide Road, Elsworth Rise, King Henry's Road and Norton Rise, N.W.3. by the erection of a complex of low-rise buildings comprising 132 residential units, a public house, 13 retail shops, a supermarket with ancillary storage and car parking for 195 cars.

Reasons for refusal:

- 1. A supermarket on the size and scale as proposed is considered undesirable in this essentially residential locality, due to the increase in noise and traffic generation not only from car bound customers but also by vehicles entering and leaving the site for servicing.**
- 2. The use of Elsworth Rise as the main access/egress for customers is considered undesirable and likely to have a detrimental effect on the amenities enjoyed by residential occupiers.**

[Signature]
Yours faithfully,

[Signature]
(Duly authorised by the Council to sign this document)

All correspondence to be addressed to the Director of Planning and Communications.

Reasons for Refusal (Cont'd)

3. The proposal is considered to constitute an overdevelopment of the site by virtue of the increased density over that zoned for the area in the Initial Development Plan and that permitted in the decision of March 1965, and such a density is considered likely to have a prejudicial effect on the character of this part of the overall development.
4. The proposed layout of the supermarket is considered detrimental as it dominates the residential content.
5. The proposed orientation of part of the residential content is considered unsatisfactory from a sunlighting aspect.

Yours faithfully,

**Director of Planning
and Communications**

Statement of Applicant's Rights Arising from the Refusal of Planning Permission

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission for the proposed development, he may appeal to the Secretary of State, Department of the Environment, in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State, Department of the Environment, Whitehall, London, S.W.1). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. (The statutory requirements include Sections 67 and 74 of the Act.)
2. If permission to develop the land is refused whether by the local planning authority or by the Secretary of State, Department of the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state, he may serve on the Common Council, or on the Council of the County Borough, London Borough or County District in which the land is situated, as the case may be, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part IX of the Act.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable is set out in Section 169 of the Act.