



D.C.5

Local Authority Ref. 16,636.

County Council Ref. N.2290.A.

County Council of Middlesex.

TOWN AND COUNTRY PLANNING ACTS 1947—1954

To... **A.V. Kents Esq.,**.....

of... **663 Finchley Road,**.....

..... **N.7.2.**.....

WHEREAS in accordance with the provisions of the Town and Country Planning Acts 1947 -1954 and the Orders made thereunder you have made application dated **25th November, 1958,** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at **rear of 46 Highgate West Hill (adjoining 3 Hampstead Lane), N.6.** by **Proposed petrol filling station**

NOW THEREFORE WE THE MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF **HORNSEY** acting by the Council of the said Borough as agents for THE COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF MIDDLESEX, the Local Planning Authority, HEREBY GIVE YOU NOTICE pursuant to the said Act and the Orders made thereunder that—

Permission to develop the said land in accordance with the said application is hereby refused.

The reasons why permission is refused are as follows:—

1. **The proposed development would be prejudicial to the free flow of traffic and conditions of general safety on the neighbouring highway.**
2. **The proposed development may give rise to conditions which would be detrimental to the enjoyment by neighbouring occupiers of their properties by reason of noise and general nuisance.**

Your attention is particularly drawn to the Schedule to this Notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.

Dated this **27th** day of **February,** 1959.

Signature..... *H. Petula*.....

Designation..... **Town Clerk.**.....

Address of Borough Council:

THE SCHEDULE REFERRED TO ABOVE

Rights of Applicants Aggrieved by Decision of Local Planning Authority

(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 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 Sections 20 and 79 of the Town and Country Planning Act, 1947.

FOR OFFICE USE ONLY

Particulars of any Direction under the Act or under the Town and Country Planning General Development Order, 1950, in respect of the application.

Date of Appeal to the Minister of Housing and Local Government and Date and Effect of his decision.