

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Order 1963



Appeal to the Minister of Housing and Local Government

I, (full name in block letters) **ALFRED B. SPEED**

of (full address) **THE VICARAGE, GT. GADDESSEN, HERTS**

HEMEL HEMPSTEAD

(Tel. No. **52672**)

AM AGGRIEVED BY

*the decision of the local planning authority under the Town and Country Planning General Development Order 1963 and Section 17 of the Town and Country Planning Act 1962

*refusing permission for development as described below.

*granting permission subject to conditions for development as described below.

*the failure of the local planning authority to give notice of their decision in respect of the development described below or of the reference of the relevant application to the Minister of Housing and Local Government, within the appropriate period specified in Article 5 (b) of the Order of 1963.

I HEREBY APPEAL to the Minister under Section 23 of the Act of 1962 and in accordance with the Order of 1963.

**I ENCLOSE

- (a) a copy of the application made to the local planning authority for planning permission in respect of the development.
- (b) a copy of all relevant plans, drawings and particulars submitted to the authority.
- (c) a copy of the notice of the authority's decision, if such notice has been given.
- (d) a copy of all other relevant correspondence with the authority.
- (e) the appropriate certificate under Section 16 of the Act, as applied by Section 23 (6).

Date **15th June, 1966**

Signed

Name and address of agent or professional representative, if any, to whom further communications should be sent (see notes (i) and (ii) overleaf)

WILLIAM B. MURGATROYD

36 HOLYWELL HILL,

ST. ALBANS, HERTS.

PARTICULARS OF THE APPEAL

Name of local planning authority **RURAL DISTRICT COUNCIL OF HEMEL HEMPSTEAD**

Description and situation of the land (giving name of parish or locality) to which the appeal relates

Part of the grounds of Great Gaddesden Vicarage

Part O.S. 313

National Grid Ref. (if known) **TL 027112**

Description of the development **Detached House with Garage**

Precise grounds of appeal (continue on separate sheet if necessary)

(1) Although the site is within the Metropolitan Green Belt and in an area of Great landscape value the proposed development to provide a Vicarage adjacent to the ancient parish church of St. John the Baptist, Great Gaddesden is a development which should be allowed in the interests of the community.

In order to administer the Parish Church and serve the community which has expanded in recent years chiefly by Council development, a modern building must be provided.

... cont.

*Strike out inappropriate words

††See note (iii) overleaf

**One copy of each of these documents is essential to the appeal

IMPORTANT

(2) The present vicarage is completely unsuited to modern requirements for an incumbent nevertheless it should not be demolished because of its position and qualities.

(3) The site which is an uncultivated part of the vicarage grounds lies below the vicarage, is unobtrusive and would not detract from the appearance of the landscape. The land cannot be brought into satisfactory agricultural use.

(4) The policy of the Hertfordshire County Council in the past has permitted similar development in other Parishes within the Green Belt.

(5) Within the vicinity of the site the Hemel Hempstead Rural District Council have built eighteen houses within the last five years in a more obtrusive site, and a number of houses and bungalows have been permitted along the skyline.

1st March, 1966

*Date of authority's decision

*Strike out
inappropriate
words

If the appeal arises from the failure of the local planning authority to give notice of decision, or of reference of the application to the Minister of Housing and Local Government, state below the

*Date of application to the authority

††See
note (iii)
below

If the appeal is not made within one month from the receipt of notice of the authority's decision or from the date of expiration of the statutory period (††) allowed for the authority's decision, as the case may be, state reasons for the delay in lodging the appeal and the grounds upon which it is considered that the Minister may properly grant an extension of time.

NOTES

(i) The appellant has a right under section 23 (5) of the Town and Country Planning Act 1962 to demand an opportunity of appearing before and being heard by a person appointed by the Minister for the purpose. It is the Minister's usual practice to send an Inspector to hold a local inquiry and report to him on the matter at issue.

In some cases the Minister may consider it possible, with the agreement of the parties, to dispense with an inquiry and decide the appeal on the basis of written statements submitted by the parties. In that case it may be necessary for one of his officers to inspect the site. The Minister will suggest this course to the parties in any case where it appears to him to be suitable.

(ii) Inspectors sent to hold inquiries are qualified persons, and it is their duty to ascertain, from representations put forward by the parties and by personal inspection, all the relevant facts in order to ensure a fair and impartial decision. All representations are carefully considered and receive full attention whoever is the spokesman. The Minister considers, therefore, that there is generally no necessity for either party to incur any heavy costs in presenting their case at inquiries.

(iii) The period allowed to the local planning authority for giving notice to the applicant of their decision or of the reference of the application to the Minister is three months in cases affecting trunk roads and two months in all other cases, but this period may be extended by agreement in writing between the applicant and the local planning authority.

(iv) The Minister has power under section 23 (4) of the Act of 1962 to "reverse or vary any part of the decision of the local planning authority, whether the appeal relates to that part thereof or not, and may deal with the application as if it had been made to him in the first instance".

SECTIONS 16 and 23 (6) OF THE TOWN AND COUNTRY PLANNING ACT 1962

If you are the freeholder or a tenant of all the land to which the appeal relates and if no part of the land is an agricultural holding (as defined below) or part of one, then you should complete the certificate printed below. (You should complete the certificate on only one copy of this form.)

In any other case you should read the enclosed "Notes for Appellants" and complete the appropriate certificate. Do not amend any certificate to suit the circumstances of your case.

Any person who knowingly or recklessly issues a certificate which contains any statement which is false or misleading in a material particular is liable on conviction to a fine not exceeding £50.

"Agricultural holding" has the same meaning as in the Agricultural Holdings Act 1948, viz., "the aggregate of the agricultural land comprised in a contract of tenancy, not being a contract under which the said land is let to the tenant during his continuance in any office, appointment or employment held under the landlord." If you, or someone else, own all the land and occupy it for agricultural purposes, it is not an agricultural holding because no tenancy is involved.

Certificate A

TOWN AND COUNTRY PLANNING ACT 1962 Certificate under Sections 16 and 23

I hereby certify that:

1. ~~I am~~ the estate owner in respect of the fee simple

* The appellant is * ~~entitled to a tenancy~~

accompanying appeal dated **15th June, 1966.** relates:

2. None of the land to which the appeal relates constitutes or forms part of an agricultural holding.

Signed

Date

*On behalf of **The Rev. Alfred B. Speed**

*Delete where inappropriate.