

H.C.C. Code No. W/94/61.

L.A. Ref. No. BR/6/61.

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To Mrs. E.M. Dieter,
per Messrs. Christopher Rose and Co.,
Town Hall, Berkhamsted, Herts.

Change of use of detached timber building to use
for residential purposes,
at Yew Tree Cottage, 39/40, Little Gaddesden,
Berkhamsted, Herts.

Brief description and location of proposed development.

In Pursuance of their powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, and under the COUNTY OF HERTFORD (Delegation of Planning Functions) Scheme, 1952, the Council on behalf of the Local Planning Authority hereby refuse the development proposed by you in your application dated 16th. January, 1961, and received with sufficient particulars on 17th. January, 1961, and shewn on the plan(s) accompanying such application.

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

The site falls within an area of great landscape value and a proposed Local Green Belt, in which it is the policy of the Local Planning Authority to restrict further development to that required for the essential needs of the local community or for the housing of agricultural workers in order to prevent unnecessary expansion of villages and to maintain the amenities and character of the area generally. In the opinion of the Local Planning Authority the proposed development would not conform to their policy, and would represent an extension of development in the countryside which has not been justified by any need arising from the local community or for the housing of agricultural workers.

Dated 16th. day of March, 1961.

[Handwritten signature]

Clerk/Borough of the Council.

NOTE.

(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 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 20 of the Town and Country Planning Act, 1947, and Part II of the Town and Country Planning Act, 1954.