

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To E.J. Oakley, Esq., Per R.T. Pearce, Esq., 42, Holywell Hill, St. Albans, Herts.

Site for erection of house and buildings to enable the land to be developed as a smallholding, at Plot C.S. 154, part of Church Farm, Long Marston, Tring, Herts.

14 JUN 1962 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 2nd. February, 1962, and received with sufficient particulars on 14th. February, 1962, 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 is within a proposed extension of the Metropolitan Green Belt where it is the policy of the Local Planning Authority not to allow development unless it is required for agricultural or allied purposes. The proposed development would also be contrary to the Local Planning Authority's policy not to allow further privately owned smallholdings. The application includes no evidence of special circumstances why a residential smallholding should be established on the land/the proposed development would, therefore, result in undesirable new building development in the proposed extension to the Green Belt.

Dated 12th. day of June, 1962.

[Handwritten signature]

Clerk/Superior 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.



MINISTRY OF HOUSING & LOCAL GOVERNMENT  
Whitehall, LONDON, S.W.1

Telegrams: *Locoplan, Parl, London*

Telephone: VICTORIA 8540, ext. 109.

Please address any reply to

THE SECRETARY

and quote: APP/1919/A/60474

Your reference: W/213-62

17 JAN 1963

Gentlemen,

Town and Country Planning Act 1947 - Section 16  
Land formerly part of Church Farm, Long Marston, Tring  
Appeal by Mr. E. J. Oakley

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. S. R. Mollison, Dip.T.P., A.M.T.P.I., on the local inquiry into your client's appeal against the decision of the Berkhamsted Rural District Council, acting on behalf of the Hertfordshire County Council, to refuse permission on an outline application, for the erection of a house and building to enable land formerly part of Church Farm, Long Marston, Tring to be developed as a smallholding.

2. The Inspector, a copy of whose report is enclosed, recommended that the appeal be allowed for the following reasons:-

- (1) there were special circumstances present in this particular case sufficient to justify the establishment of a residential smallholding on the site;
- (2) as the proposal was a form of agricultural development, it would not conflict with either "white" area or green belt policy.

3. The Minister agrees with the findings of his Inspector and accepts his recommendation; accordingly he allows your client's appeal and hereby grants permission for the erection of one detached dwelling house and building on the appeal site subject to the following conditions (1) that the siting, design and external appearance of the buildings and the means of access shall be as may be agreed by the local planning authority, or in default of agreement, as shall be determined by the Minister, and (2) the occupation of the house shall be limited to persons employed or last employed locally in agriculture, as defined in section 119(1) of the Town and Country Planning Act 1947, or in forestry, and the dependants of such persons.

4. This letter does not purport to convey any approval or consent which may be required under any enactment (including any byelaws, orders or regulations) other than section 12 of the Town and Country Planning Act 1947.

I am, Gentlemen,  
Your obedient Servant,

(MISS E. M. BARBER)  
Authorised by the Minister  
to sign in that behalf

Messrs. F. S. Ellis and Company  
Solicitors  
24, Station Road  
WATFORD  
Hertfordshire

(Cons. Sub)