

H.C.C.
Code No. W/256/64
L.A.
Ref. No. BR/8/64

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the ~~BOSWORTH~~
~~WILTON DISTRICT~~
RURAL DISTRICT OF BERKHAMSTED

TOWN & COUNTRY PLANNING ACT, 1962

To Mr. C.L.J. Wardley,
"Brydens"
Hempstead Lane,
Potten End, Herts.

Erection of two bungalows for use as private dwellings.
off Hempstead Lane, Potten End, Nr. Berkhamsted, Herts.

Brief description and location of proposed development.

In pursuance of their delegated powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council on behalf of the Local Planning Authority hereby refuse the development proposed by you in your application dated 26th June, 1964 and received with sufficient particulars on 8th July, 1964 and shewn on the plan(s) accompanying such application.

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

Under the Local Planning Authority's Green Belt Policy which, as part of the Review of the County Development Plan, is now before the Minister for his approval, Potten End is a "listed" village in which only limited infilling development is proposed. The application site is backland without direct frontage to a highway and any development on it should comprise not more than one dwelling. The proposed development by two dwellings would be excessive, having regard to the location of the site and the layout which could be extended over other backland would be unsatisfactory for this reason
~~REASON FOR REFUSAL~~

Dated 21st day of September, 1964

D.O.
Clerk/~~Secretary~~ of the Council.

NOTE.

(1) If the applicant wishes to have an explanation of the reasons for this refusal it will be given on request and a meeting arranged if necessary.

(2) 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 23 of the Town and Country Planning Act, 1962. 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 provision of Section 17(1), 18(1) and 38 of the Act and of the Development Order and to any directions given under the Order.

(3) 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 District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.

(4) 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 123 and Part VI of the Town and Country Planning Act, 1962.