

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the BOROUGH OF ...
URBAN DISTRICT OF ...
RURAL DISTRICT OF Hemel Hempstead.

TOWN & COUNTRY PLANNING ACT, 1962

To Mr. W. Porter,
The Old Vicarage,
High Street,
Markyate,
Herts.

Erection of a house
Cheverells Green, Flamstead, Herts.
(Part Parcel 566 on OS. HERTS.XXV1.4)



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 10/2/64 and received with sufficient particulars on 10/2/64 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 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. No such need has been proved.

Dated 7th day of April 1964

Clerk of the Council (Signature)

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.



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

C. Telegrams: *Locoplan, Parl, London*

Telephone: VICTORIA 8540, ext.

Please address any reply to

THE SECRETARY

and quote: APP/2142/A/84699

Your reference:

22 JAN 1965

Gentlemen,

Town and Country Planning Act 1962 - Section 23

Appeal by Mr. W. C. Porter

Application No. W/380-64

I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. A. C. Box, M.I.Mun.E., who held a local inquiry into your client's appeal against the refusal of Hemel Hempstead Rural District Council, acting on behalf of Hertfordshire County Council, to permit the erection of a house and garage on land at Cheverell's Green, Flamstead.

2. A copy of the Inspector's report is enclosed.
3. In the Inspector's opinion the proposed dwelling house would constitute an undesirable extension of development into the countryside. He recommends that the appeal be dismissed.
4. As requested at the inquiry the Minister has considered the appeal as relating to the erection of a dwelling house with a dentist's surgery and garage.
5. A house on the appeal site would consolidate a small amount of existing development on the western fringe of the village, which is in a proposed extension of the Metropolitan Green Belt and the Chilterns area of great landscape value. The appellant's reasons for wishing to live in Markyate have been noted; but the village is a 'listed' one where infilling development is allowed on specified frontages, and it is considered that the circumstances in this case are not sufficient to justify granting permission on the outskirts. The Minister has therefore decided to accept his Inspector's recommendation and accordingly he hereby dismisses the appeal.

I am, Gentlemen,
Your obedient Servant,

(Signed) D. G. POMEROY

(D. G. POMEROY)

Authorised by the Minister
to sign in that behalf.

Messrs. Russell, Jones
and Company
Solicitors
No. 2 The Parade
St. Albans Road
HATFIELD
Herts.

