

ADMINISTRATIVE COUNTY OF HERTFORD

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

TOWN & COUNTRY PLANNING ACT, 1962

To S.G. Arnold, Esq.,
245, Clay Hill,
Wigginton,
Tring, Herts.



Site for one bungalow
at Clay Hill, Wigginton, Tring, 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 8th January, 1964 and received with sufficient particulars on 25th February, 1964 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. No such need has been proved.

Dated 21st day of July 1964

[Signature]
Clerk 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.



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: Locoplan, Parl, London

Telephone: VICTORIA 8540

, ext. 513

Please address any reply to

THE SECRETARY

and quote: APP/1919/A/90850

Your reference:

W/470-64.



Sir,

Town and Country Planning Act 1962 Section 23

Appeal by Mr. S. G. Arnold

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. A. C. Box, M.I.Mun.E., on the local inquiry into your client's appeal against the refusal of the Berkhamsted Rural District Council, acting on behalf of the Hertfordshire County Council, to permit the erection of a bungalow on land at 245 Clay Hill, Wigginton.
2. The Inspector, a copy of whose report is enclosed, found that the appeal site was located at Clay Hill which contained a group of about eight dwellings separated from the developed part of Wigginton Bottom or Lower Wigginton on the north-west by about 150 yards of open countryside. He was of the opinion that the erection of the proposed bungalow on the site would constitute an undesirable addition to an existing ribbon of development, within an area proposed as an extension of the metropolitan green belt. The special circumstances of your client's case were appreciated; but sufficient reasons had not been advanced to warrant any relaxation of the planning authority's now well established green belt policy.
3. The Minister agrees with the Inspector's conclusions and accepts his recommendation. The planning authority's proposals for extending the metropolitan green belt have been incorporated in the first review of the county development plan which has been formally submitted to him and which is at present under consideration. A decision on the proposed green belt in the vicinity of the appeal site must await the result of this consideration, but meanwhile the local planning authority are, with the Minister's general approval, applying their green belt policy to development applications within the area of the proposed green belt. While your client's personal circumstances deserve special sympathy, no overwhelming reason has been advanced to show that his needs cannot be met in some way other than by building on the appeal site, which is outside the village area where some infilling may be permitted.
4. Accordingly, the Minister hereby dismisses the appeal.

I am, Sir,

Your obedient Servant,

H. C. HOLLINGTON

(H. C. HOLLINGTON)
Authorised by the Minister
to sign in that behalf

Peter Fountaine Esq., F.R.S.A.
27 Castle Street
BERKHAMSTED
Herts.

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