

H.C.C. Code No. W/495/64
L.A. Ref. No. 46/64

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the ~~Barren~~
URBAN DISTRICT OF TRING
~~Rural District of~~

TOWN & COUNTRY PLANNING ACT, 1962

To Messrs. Brown and Merry,
Agents for F. Holmes, Esq.,
41, High Street,
TRING, Herts.

Outline application for detached dwelling with
garage,
part of grounds of Hollyfield House, Grove Road,
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 24th February, 1964. and received with sufficient particulars on 28th 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 of this proposal is shown on the submitted Review of the County Development Plan as being within an area of Great Landscape Value and 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 April, 1964.

[Signature]
Clerk/Surveyor 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.

W/495/64



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/1743/A/83269
Your reference: PHK/PCC

W/495-64.

29 APR 1965

Gentlemen,

Town and Country Planning Act 1962 - Section 23
Appeal by Mr. F. J. Holmes

1. I am directed by the Minister of Housing and Local Government to refer to your client's appeal against the refusal of the Tring Urban District Council, acting on behalf of the Hertfordshire County Council, to permit the erection of a dwelling with a garage in part of the grounds of Hollyfield House, Grove Road, Tring. Consideration has been given to the written representations made in support of the appeal and those of the council. An officer of the Department has visited the site.

2. Hollyfield House lies on the north-east side of Grove Road in a predominantly rural area some three quarters of a mile to the north-east of the centre of Tring. The house in divided occupation, stands some 90 feet back from the highway and towards the centre of the 300 feet frontage of its curtilage, which extends back in depth about 400 feet, and has an area of approximately 3 acres. Permission was given in 1952 for the erection of a house on the north-western frontage of the curtilage, and in 1959 for the conversion of outbuildings, also on the north-west side of Hollyfield House, into residential accommodation. Neither of these permissions has been implemented. Further north-west is another large house with nearly 1/4 mile of open land beyond. To the south-east is a farm and residential development extending to Station Road. On the opposite side of Grove Lane is open land. The site of the appeal is a strip of garden land between the house and the south-east boundary; it has a frontage of 70 feet, a depth of 230 feet and an area of approximately 1/3 acres. On the approved town map the site is within an area where it is intended that the existing uses of land shall for the most part remain undisturbed; on the submitted review map it is shown in addition as within a proposed extension of the metropolitan green belt and within an area of great landscape value. In the proposed green belt it is the policy of the local planning authority not to permit further development which is unrelated to agricultural or other essential local needs.

3. The proposal under appeal would tend to consolidate the more open, rural pattern of existing development which extends north-westwards from the nearby residential area into the proposed green belt area. In the circumstances, and on present evidence, it is considered that the local planning authority's decision is soundly based, and that a case has not been made out which would justify the proposed development as an exception to their policy for this locality on the outskirts of Tring.

4. Accordingly, the Minister hereby dismisses your client's appeal.

I am, Gentlemen,
Your obedient Servant,

(H. C. HOLLINGTON)

Messrs. Brown and Merry
41 High Street
TRING
Herts.

Authorised by the Minister
to sign in that behalf.

