

H.C.C. Code No. 4/789-61
L.A. Ref. No. BB/42-61

ADMINISTRATIVE COUNTY OF HERTFORD.

~~TOWN & COUNTRY PLANNING ACT, 1947~~
~~URBAN DEVELOPMENT~~
~~RURAL DEVELOPMENT~~

TOWN & COUNTRY PLANNING ACT, 1947

To Mr. R.S.C. Hall,
Queenswood Cottage,
Frithsden Nr. Berkhamsted.

The erection of three houses,
at Frithsden Gardens,
Frithsden Nr. Berkhamsted.

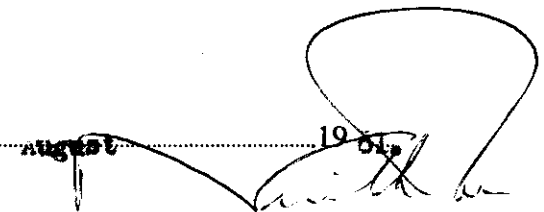
Brief description and location of proposed development.

In Pursuance of their powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, ~~the Council on behalf of~~ the Local Planning Authority hereby refuse the development proposed by you in your application dated 17th April 1961. and received with sufficient particulars on 18th April 1961. 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 included within an area of great landscape value in the County Development Plan and is also within an area proposed as an extension to the Metropolitan Green Belt in accordance with Circular 4/55. To preserve the rural character of the area it is the local planning authority's policy to restrict new building development to that essentially required either for agricultural purposes or for local community needs. There is no evidence to suggest that the development proposed will comply with this policy and it therefore represents undesirable new building development in the Green Belt.

Dated 21st day of August 1961.


Clerk/Surveyor of the Council.

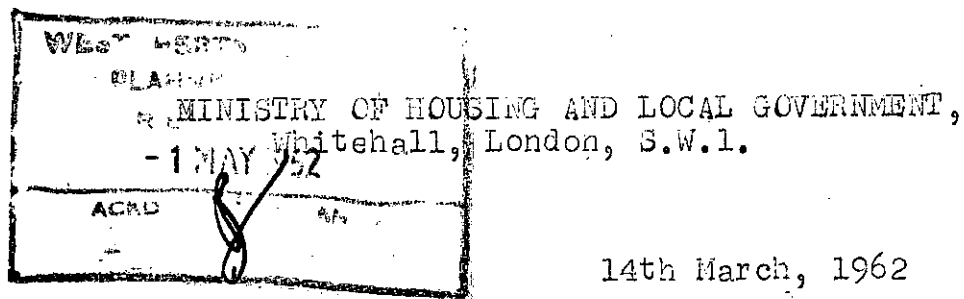
NOTE.

(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.

APP/A/51150
W/789-61



14th March, 1962

Gentlemen,

Town and Country Planning Act, 1947: Section 16
Appeal by Mr. R. S. C. Hall

1. I am directed by the Minister of Housing and Local Government to say that he has considered 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 three houses on land at Frithsden Gardens, Frithsden, near Berkhamsted. He has considered the representations made in support of the appeal and the council's observations thereon. One of his officers has visited the site.

2. The Minister notes that the appeal site is remotely situated in an area of Great Landscape Value which is included in the proposed extension of the Metropolitan Green Belt. He is in general support of the local planning authority's policy to allow new building in the area only where it is needed essentially for agricultural purposes or in the most exceptional circumstances, in order that the character of the open countryside may be preserved. In this instance the proposed houses are not required in connection with agriculture and he can find no reason to justify them by exceptional circumstances. In his view they would add to the limited sporadic development in the vicinity which is unrelated to the main settlement of Frithsden. He has therefore decided to dismiss your client's appeal.

I am, Gentlemen,
Your obedient Servant,

(Miss E. M. Barber)

Authorised by the Minister
to sign in that behalf.

Messrs. Norton, Rose, Botterell and Roche,
Kempson House,
Camomile Street,
Bishopsgate,
London. E.C.3.