

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the BOROUGH OF ... URBAN DISTRICT OF TRING ...

TOWN & COUNTRY PLANNING ACT, 1962

To P. Fountaine, Esq., Agent for R.E. Gray, Esq., 27, Castle Street, BERKHAMSTED, Herts.



Outline application for erection of single storey lock-up shop - general store at in rear garden of 1, Drummond Ride, fronting Bettys Lane, 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 23.4.65. and received with sufficient particulars on 24.4.65. and shewn on the plan(s) accompanying such application.

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

The proposal is considered to be undesirable in that the site is too small to accommodate a lock-up shop having regard to the necessity of ensuring a satisfactory distance between the proposed building and adjacent houses.

Dated 23rd day of June, 19 65.

Clerk/Surveyor of the Council.

SEE NOTES OVERLEAF

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.

H.C.C. Code No. W/1115/65

L.A. Ref. No. 68/65

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MINISTRY OF HOUSING & LOCAL GOVERNMENT

REF APP/1743/A/99657
W/1115-65

2nd August, 1966.

Sir,

Town and Country Planning Act 1962 - Section 23
Appeal by Mr. R.E. Gray
land at No. 1 Drummond Ride, Tring

1. I am directed by the Minister of Housing and Local Government to refer to your client's appeal against the decision of the Tring Urban District Council, acting on behalf of the Hertfordshire County Council, to refuse planning permission for the erection of a single storey lock-up shop-general store on the land described in the heading to this letter. (Application No. W/1115/65).
2. Consideration has been given to the written representations made in support of the appeal and those of the council together with those of neighbouring residents. An officer of the Department has visited the site.
3. The appeal site lies about half a mile to the north of the shopping centre of Tring in the back garden of No. 1 Drummond Ride. It is within a recently built estate of two storey dwellings. Most of the estate is developed but there are small pockets of undeveloped land. Drummond Ride is a street running north-south off the north side of Betty's Lane which runs generally east-west, and No. 1 Drummond Ride lies in the western angle of the junction of Drummond Rise and Betty's Lane. The site comprises the western part of the back garden of the dwelling. It has a 45 feet frontage to Betty's Lane and a depth of about 77 feet, being the full width of the garden. It is surrounded on the north, east and south sides by the residential estate of which it forms a part, while to the west lie further dwellings of an older estate.
4. It is noted that the proposal would result in the back garden of No. 1 Drummond Rise being reduced to less than 40 feet in length and that the back gardens of Manor Road are only 20-25 feet long. The local planning authority agree that the provision of a shop to serve the area around the appeal site would be an advantage. However, they do not feel that the appeal site is of an adequate size to ensure a satisfactory siting of the proposed shop in relation to nearby dwellings. It is considered that the planning authority are justified in taking this view. Moreover, the proposed shop, however carefully designed, would be an incongruous feature in the street scene. In the circumstances it is considered that the decision to refuse planning permission should be upheld.
5. Accordingly, the Minister hereby dismisses the appeal.

I am, Sir,
Your obedient Servant.

(F. D. CHESSELL)
Authorised by the Minister
to sign in that behalf.

Peter Fountaine Esq.,
27th Castle Street
BERKHAMSTED,
Herts.

dfw

Copy for Mr. Russell.

5 AUG 1965
DEPT. OF HOUSING & LOCAL GOVERNMENT



MINISTRY OF HOUSING & LOCAL GOVERNMENT
Whitehall, LONDON, S W 1
Telegrams: Locoplan, Parl, London
Telephone: TRAFALGAR 8020, ext. 79

Handwritten signature

Handwritten signature
PM

Please address any reply to
THE SECRETARY
and quote APP/1763/A/49651
Your reference

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Appeal by Mr. R. E. Gray
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I am, Sir,
Your obedient servant,

Peter Fountaine Esq.,
27 Castle Street
BIRKENHEAD
Merseyside

(P. D. CHESSELL)

Authorised by the Minister
to sign in that behalf.

Handwritten signature