

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the BOROUGH OF
URBAN DISTRICT OF
RURAL DISTRICT OF Henel Heapstead.

TOWN & COUNTRY PLANNING ACT, 1962

To
Mr. L. Bedford,
Steak Saw Mills,
Potten End,
Berkhamsted.

Use of land for residential development
at Brown Springs, Potten End, Berkhamsted.
(Part Parcel 248 on OS. HERTS. XXXIII.2)

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 14/5/65 and received with sufficient particulars on 19/5/65 and shewn on the plan(s) accompanying such application.

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

1. The site is within a proposed extension to 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.
2. Under the Local Planning Authority's Green Belt policy, Potten End is a "listed" village within which only a limited amount of infilling development within the core of the village would comply with the provisions of the said policy. The proposed development would be contrary to the said policy because :-
 - (a) Brown Springs is not one of the roads in the village within which infilling development is envisaged in the Appendix to the Written Statement of the Review of the County Development Plan, and
 - (b) If there were no objection to the proposed development under (a), the amount of development proposed is much greater than can be reasonably construed as infilling within a partly developed frontage and the proposed development would, therefore, comprise a material addition to a Green Belt village, for which there is no justification.

Dated 6th day of July 19 65

Worsham
Clerk/Surveyor of the Council.

Cont'd.

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.

3. The development would result in an appreciable increase in the use of the Brown Springs/Water End Road junction, which is a substandard junction, which would be prejudicial to the safety and free flow of traffic on the County Road.

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. L. Bedford,
Steam Saw Mills,
Potten End,
Berkhamsted.

Use of land for residential development
at Brown Springs, Potten End, Berkhamsted.
(Part Parcel 448 on OS. HERTS. XXXIII.2)

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 14/5/65 and received with sufficient particulars on 19/5/65 and shewn on the plan(s) accompanying such application.

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

1. The site is within a proposed extension to 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.
2. Under the Local Planning Authority's Green Belt policy, Potten End is a "listed" village within which only a limited amount of infilling development within the core of the village would comply with the provisions of the said policy. The proposed development would be contrary to the said policy because :-
 - (a) Brown Springs is not one of the roads in the village within which infilling development is envisaged in the Appendix to the Written Statement of the Review of the County Development Plan, and
 - (b) If there were no objection to the proposed development under (a), the amount of development proposed is much greater than can be reasonably construed as infilling within a partly developed frontage and the proposed development would, therefore, comprise a material addition to a Green Belt village, for which there is no justification.

Dated 6th day of July 19 65

Cont'd.

W. W. W. W.
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.

3. The development would result in an appreciable increase in the use of the Brown Springs/Water End Road junction, which is a substandard junction, which would be prejudicial to the safety and free flow of traffic on the County Road.