

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the ~~BOROUGH OF~~

URBAN DISTRICT OF **TRING**

~~URBAN DISTRICT OF~~

TOWN & COUNTRY PLANNING ACT, 1962

To **F.R. Alldritt, Esq.,
32, Icknield Way,
TRING, Herts.**

Outline application for erection of dwelling
on land fronting Christchurch Road, now forming
part of the rear garden of 32, Icknield Way, Tring.


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 **14th May, 1964.** and received with sufficient particulars on **15th May, 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 proposed development, which would be on rising ground and rather near to adjoining property in Icknield Way, would be prejudicial to the amenities of that property.

Dated **1st** day of **July,** 19 **64.**


~~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.



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: *Locoplan, Parl, London*

Telephone: VICTORIA 8540 , ext. 148

1455

Please address any reply to

THE SECRETARY

and quote: APP/A 743/A/86253

Your reference:



31 MAY 1965

Sir,

W/1188-64

Town and Country Planning Act 1962
Appeal under section 23

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. F. R. King, LL.B., A.M.I.C.E., A.M.I.Mun.E., on the local inquiry into your appeal against the refusal of Tring Urban District Council, acting on behalf of Hertfordshire County Council, to permit the erection of a two-storey dwelling on land behind No. 32 Icknield Way, Tring.

2. The Inspector, a copy of whose report is enclosed, was of the opinion that the privacy of Nos. 28, 30 and 32 Icknield Way would be reduced to some extent by the proposed dwelling, because this would be nearer to them than the nearest dwelling on the McManus estate, the effect being greatest at No. 32 and least at No. 28. However, the loss of privacy would be slight and not sufficiently serious to warrant the dismissal of the appeal, particularly if a screen fence were erected on the north-west boundary of the site. The Inspector noted that sloping ground was commonplace in Tring, and that the rise from No. 32 Icknield Way to the appeal site was typical of the land developed along and to the south-east of Icknield Way: although the ground rose to the appeal site, it also rose from north-east to south-west across the gardens of houses in Icknield Way. Thus the difference in level between the appeal site and the gardens of these houses would be progressively reduced and cancelled going south-westwards from No. 32. There was no reason why a well-designed detached dwelling, and especially a chalet bungalow, on the appeal site should not be in keeping with the modern ones of the McManus estate and at the same time cause no harm to the houses in Icknield Way, which were mainly pre-war, semi-detached houses. The Inspector recommended that the appeal be allowed conditionally.

3. The Minister agrees with the Inspector's conclusions and accepts his recommendation; accordingly he allows your appeal and hereby grants permission for the erection of a two-storey dwelling on the land in question subject to the conditions that:-

- (1) the design and external appearance of the building and the means of access shall be as may be agreed with the local planning authority or, in default of agreement, as shall be determined by the Minister.
- (2) a 6 feet high wooden close-boarded fence shall be erected along the north-west boundary of the site as may be agreed with the local planning authority or, in default of agreement, as shall be determined by the Minister.

/4. This

F. R. Alldritt, Esq.
32 Icknield Way
Tring
Hertfordshire

4. This letter does not convey any approval or consent required under any enactment, byelaw, order or regulation other than section 13 of the Town and Country Planning Act 1962.

I am, Sir,
Your obedient Servant,

H. C. HOLLINGTON

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

W/1188-64