

Copy for information

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W/1230-62

MINISTRY OF HOUSING & LOCAL GOVERNMENT
Whitehall, LONDON, S.W.1

Telegrams: Locoplan, Parl, London

Telephone: VICTORIA 8540 , ext.

Please address any reply to

THE SECRETARY

and quote: APP/2142/A/72664

Your reference: PDL/MAB/D

- 9 MAR 1964
H.M.S. PRINTER
LONDON

- 9 MAR 1964

Sir,

Town and Country Planning Act 1962 - Section 23

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. A. A. Sloma, B.Sc.(Eng.), A.M.I.C.E., M.I.Mun.E., M.R.S.H., Barrister-at-Law on the local inquiry into your appeal against the refusal of the Hemel Hempstead Rural District Council, acting on behalf of Hertfordshire County Council, to permit the erection of 4 bungalows on land adjoining Meadow Cottage, Love Lane, Kings Langley.

2. The Inspector, a copy of whose report is enclosed, concluded that if green belt restrictions were not to apply, land extending westwards from the appeal site as far as the southwestern corner of the adjoining school area could have similar justification for being built on as the site itself. Were this to happen it would be better for both plots to be developed comprehensively than to permit the proposal, which would block out access to backland. Your argument that the boundary of the excluded village area could just as well pass along the western side of the site so as to include it within the development area was a matter for consideration when the development plan review was examined as a whole. To permit the proposal now would be premature, especially as review documents had already been submitted. As it stood, the appeal site was presently within the green belt. The proposal would not fill a single plot but was for four homes along a road frontage where there was a presumption against building. That dwellings had been permitted nearby was no reason for warranting exception to the general restriction against development. He recommended that the appeal be dismissed.

3. The Minister agrees with his Inspector that the question of whether the boundary line for the 'excluded' village of Kings Langley, where it passes along Love Lane, has been properly drawn by the local planning authority or not, is a matter for consideration by him in the wider context of the review proposals of the development plan recently submitted to him. In the meantime he considers that the appeal proposal must be regarded as within the Metropolitan Green Belt and considered on its merits, having regard to accepted green belt policy. The proposal does not involve the infilling of a small gap between existing buildings; apart from Meadow Cottage, immediately to the south of the site, this western section of Love Lane with the farm, the appeal site and the extensive school grounds to the north has an open semi-rural character, which would be broken by the intrusion of four new dwellings on the site. In these circumstances he does not consider that there is any justification for allowing them to be erected exceptionally, contrary to the planning authority's green belt policy. The Minister therefore accepts his Inspectors' recommendation and dismisses your appeal.

I am, Sir,
Your obedient Servant,

E. M. BARBER

P. D. Lock Esq., J.P., F.R.I.C.S., F.A.I.,
Messrs. Stimpson, Lock and Vince
Chartered Surveyors
Opp. Town Hall
WATFORD
Herts.

(MISS E. M. BARBER)

Authorised by the Minister
to sign in that behalf.

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the ~~Borough of~~
~~Urban District of~~
RURAL DISTRICT OF Hemel Hempstead.

TOWN & COUNTRY PLANNING ACT, 1947

To Messrs. Stimpson, Lock & Vince,
Faircross House,
High Street,
Watford.

Use of land for residential development
at Love Lane, Kings Langley.
(Part Parcel 370 on OS. HERTS. XXXV111.4)

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, and under the COUNTY OF HERTFORD (Delegation of Planning Functions) Scheme, 1952, the Council on behalf of the Local Planning Authority hereby refuse the development proposed by you in your application dated 19/6/62 and received with sufficient particulars on 21/6/62 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 within 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 2nd day of October 1962

Clerk/Surveyor of the Council. [Signature]

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.