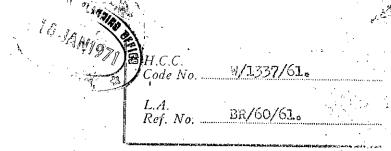
26/19



ADMINISTRATIVE COUNTY OF HERTFORD

Inc Council of the Borough of	
Urban District of	
RURAL DISTRICT OF BERKHAMSTED.	
Marie Contraction and Contract	
TO THE STATE OF TH	VETTE -3 (TO A FETT
TOWN & COUNTRY PLANNING AC	11, 1741
To Mr. P.W. Gregory,	marina alteri
Greenmead;	
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The Additional modifies the basis of the Addition of the Commission of the Commissio	e per la companya di salah di Barangan di salah di
And the contract of the contra	
Erection of farmhouse and garage,	Brief
· · · · · · · · · · · · · · · · · · ·	description and location
at Watery Lane, Wilstone, Tring, Heris.	of proposed
	development.
In Pursuance of their powers under the above-mention	ned Act and
the Orders and Regulations for the time being in force thereunder, a	nd under the
COUNTY OF HERTFORD (Delegation of Planning Functions) Schem	
Council on behalf of the Local Planning Authority hereby permit the	
proposed by you in your application dated 21st. June, 196	L,
and received with sufficient particulars on Joth. June	1961,
and shewn on the plan(s) accompanying such application, subject to	the following
conditions:	
The imponessed fermiouse whole not be encurred assets the	
The proposed farmhouse shall not be occupied except by who is primarily engaged in carrying out or directing a	
operations on a holding which includes not less than ele	
comprised in field No. 341, O.S. 25/5.	
2. Land shall be reserved along the whole frontage to Water	we rise is being
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(4.2) If maragement and overlip hand is remead, or prented radical to conditions, whether I is the local mining all the action of the life in the life in the land that the land is the land that the land is a land to the land that the land is the land of the land of the land is the land is the land is the land is the land of the land is the land is the land of the land is land in the land is the land of the land is the land

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Please Turn Over.



The reasons for the Council's decision to grant permission for the development subject to the above conditions are:—

- is the site of the prepared fermiouse is within a rund trea and the proposed development is penultied only to meet the escential needs in connection with the forecast use of the Leuf associated with the proposed house.
- A. To ensure that the prepased development does not judjudice the fature improvement of settery kene.

Dated 17th day of compact, 19

Glenderen

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 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 Sections 20 and 79 of the Town and Country Planning Act, 1947.

H.C.C. Code No	W/1337/61.
L.A. Ref. No	BR/60/61.

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the.	Borough of
	Urban District of
	RURAL DISTRICT OF BERKHAMSTED.
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TOWN & COUNTRY PLANNING ACT, 1947

To Mr. P.W. Gregory, Greenmead, Wilstone, Tring, Herts.

Erection of farmhouse and garage, at	Brief description and location of proposed development.
	I

- 1. The proposed farmhouse shall not be occupied except by the person who is primarily engaged in carrying out or directing agricultural operations on a holding which includes not less than eleven acres comprised in field No. 341, O.S. 25/5.
- 2. Land shall be reserved along the whole frontage to Watery Lane for future road improvements.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:—

- 1. The site of the proposed farshouse is within a rural area and the proposed development is permitted only to m et the essential needs in connection with the agricultural use of the land associated with the proposed house.
- To ensure that the proposed development does not prejudice the future improvement of satery Lane.

T 1	day of mast	10 45
Dated17th		19 6.1

Henten 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.

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⁽³⁾ In certain circumstances, a claim may be made against the local planning authority 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 Sections 20 and 79 of the Town and Country Planning Act, 1947.

HERTFORDSHIRE COUNTY COUNCIL

CLERK OF THE COUNTY COUNCIL

Telephone: Hertford 4242 Ext. 217

Please ask for

Your Ref: LF/CR

Mr. Million 72.07/24

COUNTY HALL HERTFORD HERTS

14th January 1971.

Dear Sir.

Mr. P. W. Gregory, The Close, Watery Lane, Wilstone

Thank you for your letter of the 6th January with enclosures.

7. White sky is

Without seeing the plans attached to the two applications and being made aware of the siting of the buildings, etc. I cannot say if the application of the 17th August 1961 can in fact be regarded as a completely new application as opposed to the submission of details pursuant to the outline planning permission dated the 25th May 1961. On the face of it there would appear to be some strength in the argument being put forward by Messrs. Brown and Merry (and it would appear that you support it) that the application of the 17th August 1961 was merely seeking approval of details pursuant to the outline planning permission granted on the 25th May 1961. If this is correct then the condition on the consent of the 17th August 1961 is unenforceable because, as I am sure you are aware, any condition relating to development should be imposed at the outline stage. The only conditions that can be imposed when the reserved matters are approved are conditions which relate to those matters.

In any event, I agree with you that the terms of the condition attached to the permission dated the 17th August 1961 reder it one that no attempt should be made to enforce because it relates to a particular holding. It is quite clear that although an agricultural condition can be imposed when it can be justified on planning grounds the condition should never the the house to occupation by a worker on a particular farm or smallholding. In this case the condition in question does not do that exactly but in my opinion it is sufficiently restrictive to make it one that the Secretary of State would almost certainly delete on appeal.

In conclusion I could not advise your Council to attempt to enforce the condition and if your Council accept this advice I suggest that Messrs. Brown and Merry should be informed accordingly. I am sending a copy of your letter and enclosures and a copy of this reply to the Divisional Planning Officer and the County Planning Officer for information.

"-Yours faithfully,

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Clerk of the County Count

The Clerk,

Berkhamsted Rural District Council,

Boxwell House,

275 High St.,

BERKHAMSTED,