

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To Mrs. D.A. Campbell,
C/o Messrs. Fairfax, Barfield and Blincowe,
Solicitors, Banbury,
Oxon.

Use of land for residential development
at Bovington Green, Bovington.
(Part of Parcels 314 and 315 on OS. HERTS. XXXV111.2)

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~~ ~~COUNCIL 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 16/6/61 and received with sufficient particulars on 19/6/61 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 falls within a proposed extension of the Metropolitan Green Belt in which it is the policy of the Local Planning Authority to restrict further development to that required for the essential needs of the local community or for the housing of agricultural workers in order to prevent unnecessary expansion of villages and to maintain the amenities and character of the area generally. In the opinion of the Local Planning Authority the proposed development would not conform to their policy and would represent an extension of development in the countryside which has not been justified by any need arising from the local community or for the housing of agricultural workers.

Dated 3rd day of October 1961

L. W. Shaw
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 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.

DT

OAC 485 *Smith to Smith*

W/1396/61

Smith to Smith



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: Locoplan, Parl, London

Telephone: VICTORIA 8540, ext.

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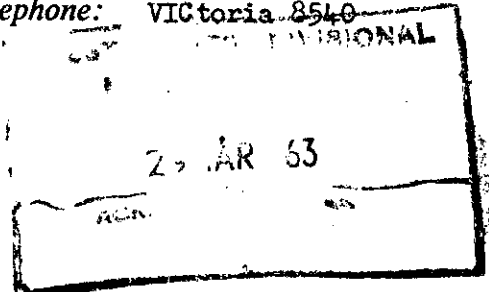
26 MAR 1963

Please address any reply to

THE SECRETARY

and quote: APP/2142/A/61937

Your reference: GWH/MV



Gentlemen,

Town and Country Planning Act 1947 - Section 16
Land at Bovingdon Green, Bovingdon
Appeal by Mrs. D. A. Abbott

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. F. Birkbeck, F.R.I.C.S. M.I.Mun.E., M.Inst.H.E. on the local inquiry into your client's appeal against the decision of the Hemel Hempstead Rural District Council, acting on behalf of the Hertfordshire County Council, to refuse permission for residential development of land (Plots 3 - 20) at Bovingdon Green, Bovingdon.

....

2. The Inspector, a copy of whose report is enclosed said that it was evident that at the time of refusal of the 1954 application for the reason that development of the site would be premature until main drainage facilities were available it was the intention that development should ultimately take place; it appeared also from the negotiations concerning the line and dimensions of the access to the back land that this was the intention when development of the two plots fronting the Green was approved in 1956. He did not think, in view of the size of the village and its population, that the impact of a further 18 dwellings would be appreciable. While it was desirable that consolidation of ribbon development along roads out of villages, and the outward expansion of villages in the Green Belt should be prevented, he thought that the appeal site was not badly related to the existing settlement and its development need not lead to further expansion of the village limits. He recommended that the appeal be allowed.

3. The Minister agrees with the findings of his Inspector and accepts his recommendation; accordingly he allows your client's appeal and hereby grants permission for the residential development of the appeal site at Bovingdon Green, Bovingdon subject to the condition that the siting, design and external appearance of the buildings and the means of access shall be as may be agreed by the local planning authority, or in default of agreement, as shall be determined by the Minister.

4. This letter does not purport to convey any approval or consent which may be required under any enactment (including any byelaws, orders or regulations) other than section 12 of the Town and Country Planning Act 1947.

I am, Gentlemen,
Your obedient Servant,

Messrs. Fairfax, Barfield and Blincowe
Solicitors
29/30 Bridge Street
BANBURY
Oxon.

(MISS E. M. BARBER)
Authorised by the Minister to
sign in that behalf.

copy



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

Telegrams: Locoplan, Parl, London

Telephone: VICTORIA 8540, ext.



26 MAR 1963

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