

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. J.A. Adams,  
6, Alexandra Road,  
Chipperfield.

Erection of garage
at Chapelcroft, Chipperfield.
(Part Parcel 186 on OS.HERTS.XXXVIII.7)

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 29/6/65 and received with sufficient particulars on 5/7/65 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 proposed garage would be associated with the proposed bungalow on the same site which in the opinion of the Local Planning Authority would not comply with their Green Belt policy. The proposed garage would therefore represent an additional building in the Green Belt village of Chipperfield for which there is no justification.
2. The means of access to the site comprises an unmade roadway with a narrow right of way between it and the public highway. In the opinion of the Local Planning Authority the means of access is of an unsatisfactory standard to serve additional development.

Dated 7th day of September 1965

Clerk *[Signature]*  
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.

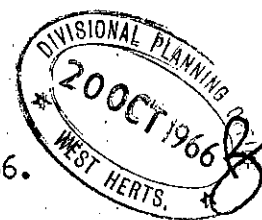
(3) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot 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.

*West Herts  
additional copy*

MINISTRY OF HOUSING & LOCAL GOVERNMENT

REF APP/2142/A/2413  
W/1477-65  
W/1498-65



26th September, 1966.

Sir,

Town and Country Planning Act 1962 - Section 23  
Appeals re land at Chapelcroft, Chipperfield

1. I am directed by the Minister of Housing and Local Government to say that consideration has been given to the report of his Inspector, Mr. J.S. Mappin, A.R.I.C.S., A.M.T.P.I., who held a local inquiry into your appeals against the decisions of Hemel Hempstead Rural District Council acting on behalf of Hertfordshire County Council, to refuse planning permission for (a) the erection of a bungalow and garage (Application No. W/1477/65) and (b) the erection of a garage (Application No. W/1498/65), and the formation of a vehicular access for a private car on land at Chapelcroft, Chipperfield.
2. A copy of the Inspector's report is enclosed.
3. The Inspector in his conclusions said that the two applications must be considered separately as the layout shown on the plan submitted with the proposal for the dwelling and garage would prevent vehicular access to the garage proposed in the later application. Dealing first with the application for the garage, the Inspector considered that the reference to access for a private car in the submitted application form limited the proposal to one for the provision of a garage to house a private vehicle; such a proposal appeared quite reasonable, especially as you had no garage at your present home. In the circumstances of the case, the council's points about the green belt and the access hardly seemed to be of account. If you were to seek formal permission for the garage to be used for the storage of decorators' equipment (as requested at the inquiry), then no doubt the council would bear in mind the permission granted to you in respect of similar development upon adjoining land to the west which now formed part of "Hermies". As to the proposal for the erection of a bungalow and garage, the Inspector said that the appeal site formed part of a small, limited area of land behind Chapelcroft, most of which had some form of development, and a permanent dwelling suitably positioned on the site would help to round off building hereabouts without violating or weakening the principles of the green belt in that part of the country. However, the appeal proposal, unconnected with the replacement of a temporary wooden dwelling placed at the rear of the site, involved the erection of an extra dwelling. In addition, the layout submitted did not provide adequate sufficient access to the temporary dwelling. The Inspector recommended that the appeal relating to a bungalow and garage be dismissed and that the appeal in respect of the erection of a garage for a private car be allowed.

/Cont'd...

4. The Minister sees no reason to disagree with the Inspector's conclusions and he accepts his recommendations. Accordingly he dismisses the appeal in respect of the erection of a bungalow and garage (Application No. W/1477/65). The Minister allows the appeal in respect of Application No. W/1498/65 and he hereby grants planning permission for the erection of a garage and the formation of a vehicular access for a private car on the land in question in accordance with the deposited plans subject to the following conditions:-

Condition imposed pursuant only to the Control of Office and Industrial Development Act 1965;

(i) the use of the building, whether as originally erected or as subsequently extended or altered, shall be restricted so that (whether in consequence of a change of use or otherwise) it does not at any time contain office premises having an aggregate floor space which exceeds 3,000 square feet;

Other condition;

(ii) the access shall be as may be agreed with the local planning authority or, in default of agreement, as shall be determined by the Minister.

5. This letter does not convey any approval or consent which may be 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)

Authorised by the Minister

to sign in that behalf.

J.A. Adams Esq.,  
6 Alexandra Road,  
CHIPPERFIELD  
Herts.