

H.C.C.  
Code No W/1571/61.  
L.A.  
Ref. No. BR/72/61.

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the BOROUGH OF  
URBAN DISTRICT OF  
RURAL DISTRICT OF Berkhamsted.

TOWN & COUNTRY PLANNING ACT, 1947

To Mr. A. Wulff,  
per P.W. Poulter, Esq.,  
57, Marlowes,  
Hemel Hempstead, Herts.

23 JUL 1962  
ACPD

Site for twelve dwellings,  
at The Nurseries, Vicarage Road, Potten End, Berkhamsted,  
Herts.

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 29th. July, 1961, and received with sufficient particulars on 1st. August, 1961, 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 of the proposed development is in the village of Potten End which is within an extension to the Metropolitan Green Belt proposed by the Local Planning Authority under Circular 42/55, and intended to be incorporated into the County Development Plan at the review in 1963. Under the Local Planning Authority's Policy for the Green Belt, Potten End is a "listed" village in which further residential development generally is permitted only where this would constitute limited infilling in the core of the village. The proposed development by twelve dwellings would be neither in extent nor siting infilling within the intentions of the said Green Belt policy. The proposed development would, therefore, result in new residential development not justified by any demand arising from the needs of the local community. It would be contrary to, and prejudicial to the Local Planning Authority's Green Belt Policy, the purpose of which is to restrict residential development to that essential to serve the needs of the local community and to prevent the influx of further population into the Green Belt.

Dated 19th. day of July, 1962. XIXXX

*L. Hume*

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.

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