

COPY.



MINISTRY OF HOUSING AND LOCAL GOVERNMENT

Whitehall, London, S.W.1.

24th May, 1963.

APP/2142/A/64986  
W/1573-62

Sir,

Town and Country Planning Act 1947 - Section 16  
(now Town and Country Planning Act 1962 - Section 23)  
Land at Tower Hill, Chipperfield  
Appeal by The Executors of H.J. Carter (Deceased)

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. T.S. Wright, F.L.A.S., N.D.A., on the local inquiry into your clients' appeal against the decision of the Hemel Hempstead Rural District Council, acting on behalf of the Hertfordshire County Council, to refuse permission on an outline application for residential development on land adjoining Nos. 1 and 3, Tower Hill, Chipperfield.
2. The Inspector, a copy of whose report is enclosed said that the appeal site was ripe for residential development; two houses of suitable design and construction would not be harmful to the green belt or neighbouring properties. The proposed development was logical and need not constitute a basis for other proposals in Chipperfield. He recommended that the appeal be allowed.
3. The Minister agrees generally with the local planning authority's policy restricting new development in the metropolitan green belt but in this case he agreed with his Inspector that this limited amount of infilling cannot conflict with the objectives of the green belt and he sees no justification for withholding permission. Accordingly he accepts his Inspector's recommendation and allows your clients' appeal. He hereby grants permission for the erection of two dwellings on land adjoining Nos. 1 and 3 Tower Hill, Chipperfield 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 13 of the Town and Country Planning Act, 1962.

I am, Sir,  
Your obedient Servant,

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

R.H. Faulkner, Esq., F.R.I.C.S.,  
F.A.I.  
43, Market Street,  
Watford,  
Herts.

MINISTRY OF HOUSING AND LOCAL GOVERNMENT

Whitehall, London, S.W.1.

15th May, 1963

MR. JAMES WATSON  
123-45

SIR,

Letter from Mr. James Watson to the Minister of Housing and Local Government dated 15th May 1963  
(now Mr. James Watson, 123-45)  
Letter from Mr. James Watson to the Minister of Housing and Local Government dated 15th May 1963  
(now Mr. James Watson, 123-45)

I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. J. B. Wright, M.A., on the local inquiry into your clients' appeal against the decision of the Local Planning Authority, dated on behalf of the Metropolitan County Council, to refuse permission for an extension of the residential development on land adjoining Nos. 1 and 3, Lower Hill, Chippinghale.

The Inspector, in a report enclosed in this letter, has advised that the appeal site is not suitable for residential development; the reasons for this are that the site is not in the green belt or in a planning area. The proposed development was not logical and would not constitute a benefit for other projects in Chippinghale. He recommended that the appeal be refused.

The Minister agrees generally with the Inspector's findings and policy regarding the development in the residential green belt but in this case he agrees with the Inspector that the limited amount of building which could be built on the site would not be in the green belt and he has no objection to the proposed development. Accordingly he accepts the Inspector's recommendation and allows your clients' appeal. He hereby grants permission for the extension of the building on land adjoining Nos. 1 and 3, Lower Hill, Chippinghale subject to the condition that the siting, design and external appearance of the building and the means of access shall be as may be approved by the local planning authority or in default of agreement, as shall be determined by the Minister.

This letter does not purport to convey any approval or consent which may be required under any laws, orders or regulations (other than section 13 of the Town and Country Planning Act, 1962).

I am, Sir,  
Your obedient servant,  
The Minister

(1234 5678 9012)  
Minister of Housing and Local Government  
to sign in that office.

R. P. English, Esq., B.A., I.C.S.  
P.A. to  
The Minister  
Home Office

H.C.C.  
Code No. W/1573/62  
L.A.  
Ref. No. 5023

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the BOROUGH OF  
URBAN DISTRICT OF  
RURAL DISTRICT OF Hemel Hempstead.

TOWN & COUNTRY PLANNING ACT, 1947

To The Exors. of H.J.Carter (Dec'd)  
C/o R.H.Faulkner Esq.,  
43, Market Street,  
Watford.

Use of land for residential development.  
at Tower Hill, Chipperfield, Herts.  
(Part of Parcel 231 on OS.HERTS.XXXV111.3)

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 ~~has~~ by refuse the development proposed by you in your application dated 31/7/62 and received with sufficient particulars on 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 1956

*Lawson*  
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.