

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the ~~ROXFORD~~ URBAN DISTRICT OF TRING ~~ROXFORD~~

TOWN & COUNTRY PLANNING ACT, 1947

To G. Williams, Esq., 3, Northampton Square, LONDON, E.C.1. Agent for Mrs. Sworder.

AC No. 44

Outline Residential Development (Scheme 'A') at Land off Miswell Lane, (Nr. Red Lodge) Tring.

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 17.8.62. and received with sufficient particulars on 27.8.62. 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 development involves land not zoned for development in the Tring Town Map and as there is land zoned for development still to be developed, there is no justification for the land to be developed at the present time.
2. The Tring Town Map, as part of the County Development Plan, is under review at the present time. If proposals are made in the Review Map and are approved by the Minister, whereby that part of the site now in a "white" area is included in a Development Area, the development proposed in this application can be re-considered but in that event it will be necessary for the layout of the land to be related to the likely proposals for the development of adjoining land. The cul-de-sac as proposed would be unlikely to be satisfactory in relation to the layout of the adjoining land.

/3 Continued Overleaf.....

Dated 30th day of November, 1962.

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.

CONTINUED:

3. If reasons Nos. 1 and 2 did not apply to this application, the proposed layout would still be considered unsatisfactory, particularly with regard to the access to the proposed terrace houses, the relationship of some of the houses to each other and the siting of the proposed house nearest Miswell Lane.
4. That no land has been reserved for highway widening, so as to allow for the widening of the northern end of Miswell Lane to conform with the width of the southern portion.
5. The plan does not show a satisfactory access.