

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. E.C. Knight,
'Cluden',
Rucklers Lane,
Kings Langley.

Use of land for residential development
at Rucklers Lane, Kings Langley, Herts.
(Part Parcel 426 on OS.HERTS.XXXV111.4 and XXX111.16.)

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 27/7/64 and received with sufficient particulars on 29/7/64 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 site is within a proposed extension of 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.
- 2) The site lies between the southern part of Hemel Hempstead New Town and the northern part of the village of Kings Langley, within which there is some existing development. Any further development in the vicinity would reduce the effectiveness of the existing break between the main centre of population referred to, and would tend towards their coalescence, contrary to one of the principles of the Green Belt.

Dated 1st day of September 1964

W. W. W. W.
Clerk/Surveyor of the Council.
SEE NOTES OVERLEAF

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.



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

Telegrams: Locoplan, Parl, London

Telephone: TRAFALGAR 8020 , ext. 130

Please address any reply to

THE SECRETARY

and quote: APP/2142/A/88550

Your reference:

21 SEP 1965

W/1817-64

Sir,

Town and Country Planning Act 1962
Appeal under Section 23

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. K. M. Sargeant, M.A., F.R.I.C.S., on the local inquiry into your appeal against the refusal of the Hemel Hempstead Rural District Council, acting on behalf of the Hertfordshire County Council, to permit the erection of eleven one storey dwellings on part of parcel O.S. 426 High Oak, Rucklers Lane, Kings Langley.

2. The Inspector, a copy of whose report is enclosed, was of the opinion that the proposed development of the site would be in keeping with that of the adjoining land on both sides and that it would be similar in form to the nearby smaller-scale developments recently allowed by the Minister on appeal. The appeal development would not extend the present limits of the built-up area nor would it injure the green belt in any way.

However, Ladymeadow in its present state was not adequate to serve an additional seven bungalows; it would be better for a new access to be provided to the whole of the appeal site direct from Rucklers Lane. There was no evidence of any material change of circumstances since the dismissal of your previous appeal in respect of the same land and the present case would presumably be decided in the light of the current green belt policy, having regard to the review of the development plan. However, considered on the narrower basis of its merits, the Inspector thought that the appeal should be allowed, and he therefore recommended that it be allowed conditionally.

3. The local planning authority's proposals for extending the metropolitan green belt are at present under consideration by the Minister as part of the review of the county development plan, and it is noted that the owner of the appeal site has lodged an objection to its inclusion in the green belt area. Meanwhile the local planning authority are, with the Minister's general approval, exercising development control as if the area were part of the approved green belt in which new building is not normally permitted except in special circumstances. The development of this 5½ acre site is on too large a scale to be regarded as infilling which could be acceptable in a proposed green belt, and no circumstances have been put forward which would justify a decision different from that taken on your earlier appeal in February 1964. Accordingly, the Minister hereby dismisses your appeal.

I am, Sir,
Your obedient Servant,

H. C. HOLLINGTON

(H. C. HOLLINGTON)
Authorised by the Minister
to sign in that behalf.

E. C. Knight Esq.,
Rucklers Lane
KINGS LANGLEY
Herts.

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