

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To Mrs. A.M. Barker,
per Messrs. P. Fountaine and
Cruickshank,
85, High St., Chesham, Bucks.

27 DEC 1961

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Site for one dwelling,
at Hilltop, Northchurch Common, Berkhamsted, Herts.
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NSU
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 17th. October, 1961, and received with sufficient particulars on 18th. October, 1961, 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 development of the land in front of the existing dwelling would form a double building line constituting badly sited development which would be likely to be detrimental to the amenities of that dwelling and lead to a lowering of the standard of the development in the area.
2. The site of the proposed development falls within an area defined by the Local Planning Authority as an extension of the Local Green Belt, in accordance with the provisions of Circular No. 42/55, in which it is the policy of the Local Planning Authority to prevent extension of the existing development in the interests of the maintenance of the Green Belt and the preservation of its amenities.

Dated 21st. day of December, ~~1951~~ 61.

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.

W.

MINISTRY OF HOUSING & LOCAL GOVERNMENT
Whitehall, London, S.W.1.
Telephone: Victoria 8540
ext. 18.

APP/1919/A/54800
W/1989-61

29th June, 1962.

Gentlemen,

Town and Country Planning Acts, 1947-59
Land at 'Hilltop', Northchurch Common, Berkhamsted
Appeal by Mrs. A. M. Barker.

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. F. Birkbeck, F.R.I.C.S., M.I.Mun.E., M.Inst.H.E., on the local inquiry into your client's appeal against the decision of the Berkhamsted Rural District Council, acting on behalf of the Hertfordshire County Council, to refuse permission for the erection of one dwelling on land at 'Hilltop', Northchurch Common, Berkhamsted.

2. The Inspector, a copy of whose report is enclosed, recommended that your client's appeal be dismissed for the following reasons:-

- (i) the siting of the proposed dwelling would be unsatisfactory in relation to 'Hilltop' bungalow and would create undesirable tandem development, and
- (ii) the proposed development would lead to the intensification of residential development within a proposed extension of the Metropolitan Green Belt contrary to its object which is to preserve the open character of the countryside.

3. The Minister accepts his Inspector's view that it would be undesirable to build a house in front of 'Hilltop'. The resultant layout would be such that the view from 'Hilltop' over the common would be spoiled while the new house would suffer from a lack of privacy. Therefore, quite apart from any green belt considerations, the Minister is satisfied that the development should not be permitted. Accordingly he dismisses your client's appeal.

I am, Gentlemen,
Your obedient Servant,

F. G. Rickard (sgd)

Authorised by the Minister to
sign in that behalf

Messrs. P. Fountaine and Cruickshank,
85 High Street,
Oxesham,
Bucks.

