

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To Mrs. F. Dale, Grovelands, Flaunden Lane, Bovington.

JAN 9 1963

Table with 2 columns: Description of land use and Brief description and location of proposed development. Row 1: Use of land for residential development at Flaunden Lane, Bovington, Herts. (Part of Parcel 444 on OS. HERTS. XXXV111.3)

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 6/10/62 and received with sufficient particulars on 8/10/62 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 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.

Dated 4th day of December 1962

Signature of 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.

MINISTRY OF HOUSING AND LOCAL GOVERNMENT,
WHITEHALL, LONDON. S.W.1.

Ref: APP/2142/A/67409.
W/2007-62.



5th July, 1963.

Sir,

Town and Country Planning Act 1947 - Section 16
(now Town and Country Planning Act 1962 - Section 23)
Land between "Grovelands" and "Capua", Flaunden Lane, Bovington
Appeal by Mrs. F. Dale.

I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. F.A. Harris, L.R.I.B.A., on the local inquiry into your client's appeal against the decision of the Hemel Hempstead Rural District Council acting on behalf of the Hertfordshire County Council, to refuse permission for the erection of a bungalow on land between "Grovelands" and "Capua", Flaunden Lane, Bovington.

The Inspector, a copy of whose report is enclosed, stated that although there was a presumption against development because of a green belt control he considered that by reason of the size of the appeal site, and its situation between a row of houses, an exception could be made in this case. He recommended that the appeal be allowed.

The Minister agrees with the Inspector's conclusions and accepts his recommendation. Although the proposal involves the sub-division of a curtilage, the appeal site, and the land remaining with "Grovelands", will be similar in size and shape to most of the other plots in this small row of houses. In the Minister's opinion the infilling of this small gap will not harm the local planning authority's proposed green belt and he thinks it would be unreasonable to refuse permission. Accordingly he allows the appeal and hereby grants permission for the erection of a bungalow on the appeal site subject to the condition that the siting, design and external appearance of the building 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.

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,

(Signed) 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.