

H.C.C. Code No. W/2209/64
L.A. Ref. No. 5503

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. J.F. Laing, and Mr. E.W. Rayment,
 Beechtrees, Fern Cottage,
 Hollybush Close, Hollybush Close,
 Potten End. Potten End.

Use of land for residential development
at Hollybush Close, Potten End.
(Part Parcel 439 on OS. HERTS. XXX111.2)

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 27/8/64 and received with sufficient particulars on 28/8/64 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 a proposed extension to 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 20th day of October 19 64

B. W. [Signature]
 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

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, ext. 148

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Please address any reply to
THE SECRETARY
and quote: APP/2142/A/90505
Your reference: PHK/JN

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Gentlemen,

Town and Country Planning Act 1962 Section 23
Appeal by Messrs. J. F. Laing and E. W. Rayment

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. L. Cook Hall, A.M.I.Mun.E., M.T.P.I., A.R.S.H., on the local inquiry into your clients' appeal against the refusal of Hemel Hempstead Rural District Council, acting on behalf of Hertfordshire County Council, to permit the erection of two bungalows on land to the north of "Beech Trees" and "Fern Cottage" Hollybush Close, Potten End.
2. The Inspector, a copy of whose report is enclosed, was of the opinion that the local planning authority should be supported in this case. The appeal site was within proposed extension to the metropolitan green belt and the development proposed would be contrary to accepted green belt principles. The appellants had not shown any special circumstances which would warrant an exception being made to the policy for the area. Hollybush Close was a large development for a green belt area, and the proposed bungalows would extend the built-on part of this area as well as being between the existing dwellings and a large tract of open agricultural land to the north. The Inspector recommended that the appeal be dismissed.
3. The Minister has not yet given formal approval to the local planning authority's proposals for extending the metropolitan green belt in Hertfordshire, which are now before him as part of the review of the development plan; nevertheless the planning authority are, with his general approval, exercising control of development in accordance with their green belt policy. The Minister agrees with his Inspector that there are no grounds in this case which would justify allowing the proposal as an exception to the policy for the proposed extension of the metropolitan green belt. It is for the local planning authority initially to consider what additional land (if any) should be allocated to meet the increased demand for houses envisaged in the South East Study and the White Papers London - Employment: Housing: Land; and South East England (Cmds. 1352 and 2303). The Minister accepts his Inspector's recommendation; accordingly he hereby dismisses your clients' appeal.

1654/63 ✓ 1633/57
 1482/52 ✓ 1556/55
 1497/63 ✓
 903/63 ✓

I am, Gentlemen,
Your obedient Servant,

H. C. HOLLINGTON

(H. C. HOLLINGTON)

Authorised by the Minister
to sign in that behalf.

Messrs. Brown and Merry
17 High Street
BRIGHTON BUZZARD
Bedfordshire