

H.C.C. Code No.	W/2217/63
L.A. Ref. No.	5276

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the ~~Borough of~~
~~Urban District of~~
RURAL DISTRICT OF Hemel Hempstead.

TOWN & COUNTRY PLANNING ACT, 1962

To Messrs.J.B., R.E., and P.E. Waterhouse.
C/o Messrs.E.J.Waterhouse & Sons Ltd.,
Chipperfield,
Herts.

Use of land for residential development at Kings Lane, Chipperfield, Herts. (Part Parcel 134 on OS. HERTS.XXXV111.7)
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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 21/10/63 and received with sufficient particulars on 22/10/63 and shewn on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:—

Under the Local Planning Authority's Green Belt Policy, Chipperfield is a "listed" village within which only a limited amount of infilling development within the core of the village would comply with the provisions of the said Policy. The proposed development would be contrary to the said Policy because (a) the south side of Kings Lane is not one of the frontages in the village within which infilling development is envisaged in the Appendix to the Written Statement of the Review of the County Development Plan, and (b) if there were no objection to the proposed development under (a) the amount of development proposed is much greater than can be reasonably construed as infilling within a partly developed frontage, and the proposed development would, therefore, comprise a material addition to a Green Belt Village for which there is no justification.

Dated 7th day of January 19 64

Clerk/~~Secretary~~ *Worsley* of the Council.

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 122 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: VICTORIA 8540, ext.

Please address any reply to

THE SECRETARY

and quote: APP/2142/A/80106

Your reference: JHP/WB

31 OCT 1964

Gentlemen,

Town and Country Planning Act 1962: Section 23
Appeal by Messrs. J.B., R.E. and P.E. Waterhouse
Application No. W/2217/63

I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. J. K. Watson, C.B.E., M.I.C.E., M.I.Mun.E., A.M.T.P.I., who held a 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 16 detached houses with garages on 2.1 acres of land at King's Lane, Chipperfield.

2. A copy of the Inspector's report is enclosed.

3. The Inspector finds that the appeal site is a rectangular piece of land wedged between two existing residential areas and with a frontage to King's Lane facing another residential area. In the Inspector's opinion no harm would be done to the Metropolitan Green Belt if housing development were permitted on the site and the land being within the natural boundaries of the village, it could best be used for that purpose. Because of its long narrow shape, however, the Inspector, thinks that the site is unsuitable for the density of development proposed since it would necessitate a great deal of repetition which would be out of character in a charming village like Chipperfield. He recommends that the appeal be dismissed.

4. The Minister agrees with his Inspector that although the appeal site is suitable for housing purposes the proposed density is too high. He appreciates that this is an outline application and it follows that the submitted layout is not before him for formal consideration: he is, however, in agreement with his Inspector's comments. The Minister has therefore decided to dismiss the appeal.

I am, Gentlemen,
Your obedient Servant,

(Signed) D. G. POMEROY



(D. G. POMEROY)

Authorised by the Minister

COUNTY PLANNING OFFICER sign in that behalf.

Messrs. Stimpson, Lock
and Vince
10/11 Faircross House
High Street
WATFORD
Herts.

COUNTY PLANNING OFFICER	
6 OCT 1964	
ACRE	AND