

H.C.C.
Code No. W/2221/64
L.A.
Ref. No. BR/117/64

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the ~~BOROUGH OF~~
~~URBAN DISTRICT OF~~
RURAL DISTRICT OF BERKHAMSTED.

TOWN & COUNTRY PLANNING ACT, 1962

To Mr. J. Bird, Mr. P. Fountaine,
Mon-Jean, 27 Castle Street,
185 High Street, per Berkhamsted.
Northchurch.

Proposed site for dwelling,
at Wharf Lane, Dudswell.
Brief description and location of proposed development.

11 NOV 1964

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 21st September, 1964 and received with sufficient particulars on 23rd September, 1964 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 6th day of November 19 64

Clerk/Surveyor 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 123 and Part VI of the Town and Country Planning Act, 1962.

SURVEYOR

*Planning app.
Mr Bird.*



MINISTRY OF HOUSING & LOCAL GOVERNMENT
Whitehall, LONDON, S.W.1
Telegrams: *Locoplax, Parl, London*
Telephone: TRAFALGAR 8020 , ext. 130

Please address any reply to
THE SECRETARY
and quote: APP/1919/A/90776
Your reference:

26 OCT 1945

Sir,

Town and Country Planning Act 1962 Section 23
Appeal by Mr. J. Bird

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. P. C. Williams, M.A., F.R.I.C.S., F.L.A.S., on the local inquiry into your client's appeal against the refusal of the Berkhamsted Rural District Council, acting on behalf of the Hertfordshire County Council, to permit the erection of a dwelling on land at Wharf Lane, Dudswell, Northchurch, Berkhamsted.
2. The Inspector, a copy of whose report is enclosed, found that the site was on the edge of a small group of dwellings between a canal and a railway at the western end of the built up area of Berkhamsted, Northchurch and Dudswell, and adjoined open country. He was of the opinion that while in this instance the dwelling would only make a slight impact on the appearance of the area, the proposal should not be permitted because any addition to the number of existing dwellings in the group which it would adjoin would be detrimental to an area of great landscape value in a proposed extension to the metropolitan green belt. The Inspector recommended that the appeal should be dismissed.
3. The local planning authority's proposals for extending the metropolitan green belt are before the Minister as part of the review of the development plan, but the planning authority, with the Minister's general agreement, have for some years been exercising control of development within the proposed areas of extension in accordance with green belt policy. The Minister agrees with the Inspector's conclusions and accepts his recommendation; accordingly he hereby dismisses your client's appeal.

I am, Sir,
Your obedient Servant,

H. C. HOLLINGTON

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

P. Fountaine, Esq.
27, Castle Street
BERKHAMSTED
Hertfordshire