

H.C.C.
Code No. 5/2266/60
L.A.
Ref. No. 7480

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To
**Mr. J. H. Dixington,
Oak Cottage,
Bourne End Lane,
Hemel Hempstead.**

Site for residential development
at Bourne End Lane, Hemel Hempstead.

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 31st December 1950 and received with sufficient particulars on 8th December 1960 and shewn on the plan(s) 7480 accompanying such application.

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

The site of the proposed development falls within an area defined by the local planning authority as a local green belt under the provisions of Ministry of Housing and Local Government Circular No.42/55 and in which it is their policy to prevent the extension of the existing development except where this is essential for local needs, which is not considered to be the case in the present proposal.

Dated 12th day of January 19561
C. W. [Signature]
Clerk/Surveyor of the Council.
Town XXXXXXXXXXXXXXXXXXXX

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 & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: Locoplan, Parl, London

Telephone: VICTORIA 8540, ext.

Please address any reply to

THE SECRETARY

and quote: 1199/40620/101

Your reference:

8/9/61
 Recd

7 SEP 1961

Gentlemen,

Town and Country Planning Act, 1947 - Section 16
Land at rear of Oak Cottage, Bourne End Lane, Bourne End
Appeal by Mr. J. H. Rivington

I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. A. L. Mortimer, F.R.I.B.A., on the local inquiry into your clients appeal against the refusal of the Hemel Hempstead Borough Council, acting on behalf of the Hertfordshire County Council, to permit residential development on part of the curtilage of Oak Cottage, Bourne End Lane, Bourne End.

2. The Inspector, a copy of whose report is enclosed, considered that the proposed development would not be in the core or centre of Bourne End but in backland at the west end of the village behind existing residential development in Bourne End Lane and there was no evidence that houses erected there would be required for local needs. He recommended that the appeal be dismissed because the site was within a proposed green belt area where development would be allowed only in very exceptional circumstances unless required for agricultural or allied purposes.

3. The Minister agrees that there appear to be no special circumstances which would justify permission being given exceptionally to the proposed development. He therefore accepts his Inspector's recommendation and dismisses your clients' appeal.

I am, Gentlemen,
 Your obedient Servant,

MISS E. M. BARBER

Authorised by the Minister to sign in
 that behalf.

Messrs. Fourtaine & Critchbank,
 35 High Street,
 Chesham,
 Bucks.