

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the BOROUGH OF.....
URBAN DISTRICT OF.....
RURAL DISTRICT OF Berkhamsted.....

TOWN & COUNTRY PLANNING ACT, 1947 1962.
~~XXXXXX~~

To Miss B. Talbot, O.B.E.,
Little Gaddesden, House,
Berkhamsted, Herts.

Site for
Residential development (one dwelling)
at Nettleden Road, Little Gaddesden, Berkhamsted,
Herts.

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, the Council on behalf of the Local Planning Authority **hereby refuse** the development proposed by you in your application dated 10th. December, 1962 and received with sufficient particulars on 10th. December, 1962, 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 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 18th. day of April, 1962.

D. J. [Signature]
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 26 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 24 of the Act and of the Development Order and to any directions given under the Order. 17(1), 18(1) and 38

(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 29 of the Town and Country Planning Act, 1947. 19b2

(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. 23 and Part VI. 19b2



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:

Your reference:

AFP/1919/W/72735



27 NOV 1964

Madam,

Town and Country Planning Act 1962

Appeal under Section 23

Application No. W/2367/62

I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. K. M. Sargeant, M.A., F.R.I.C.S., who held a local inquiry into your appeal against the refusal of Berkhamsted Rural District Council, acting on behalf of Hertfordshire County Council, to permit the erection of a dwelling on about half an acre of land within the curtilage of Little Gaddesden House, Nettlesden Road, Little Gaddesden.

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

3. The Inspector notes that the proposed dwelling would be very well screened, and he considers that if it were carefully designed and sited on its spacious plot, it would not by itself damage the rural charm of the village in any way. As the site is within the curtilage of an existing house, approval of the application could scarcely be regarded as a precedent for development in the open gaps which separate many of the properties in the village, and in the Inspector's opinion the only real objection to the proposal is that its approval might be looked on as a precedent for similar development within the grounds of other large houses in the area and thus lead to a general weakening of the council's green belt policy. Whilst accepting that there has been no material change in the position since the previous inquiry concerning this land, the Inspector thinks that this is an instance where the policy of considering each case on its merits can be strictly applied. In his view, your personal circumstances and the future housing of seven local families justify the grant of planning permission. The Inspector observes however that because of these special circumstances, permission in this case need not constitute a precedent for further development within other large curtilages in the village. He recommends that the appeal be allowed.

4. In his letter of 3rd October, 1961, the Minister dismissed your earlier appeal relating to the erection of two houses on this land. The Minister laid weight upon the fact that Little Gaddesden is within the Chilterns area of great landscape value, and the Chilterns area of outstanding natural beauty proposed by the National Parks Commission. It is also within the proposed extension of the Metropolitan Green Belt. This is an area where there is great pressure for residential development and, as was said in that letter, this attractive area would soon lose its special character if strict control of development were not exercised.

The Minister would, therefore, be reluctant to allow further development in this village except in the most exceptional circumstances. He notes, however, that the

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Little Gaddesden house
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BERKHAMSTED
Hertfordshire

/Council

Council has already given you permission to build a new dwelling in place of the existing derelict bungalow near the appeal site. At the inquiry you said that because the plot was too small and damp you had received no offers of purchase.

While the Minister would not be willing to permit an additional dwelling to be built on this appeal site, in view of his Inspector's report he would see no objection to the grant of planning permission for the erection of a dwelling on this well-screened site in substitution for the already permitted dwelling and subject to the demolition of the derelict bungalow. It is suggested that you should discuss these matters with the Berkhamsted Rural District Council.

5. The Minister has accordingly decided to dismiss your appeal, but his decision is given without prejudice to the submission to and consideration by the local planning authority of a fresh application in the event of agreement being reached between the parties on the matters referred to above.

I am, Madam,
Your obedient servant,

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