

H.C.C. Code No.	W/2461/63
L.A. Ref. No.	BR/120/63.

ADMINISTRATIVE COUNTY OF HERTFORD

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

TOWN & COUNTRY PLANNING ACT, 1962

To Mrs. C.M. Aylwin,
 Canford,
 Ringshall,
 Little Gaddesden, Berkhamsted, Herts.

..... Site for one dwelling at xx between Canford and Green Glades, Alderton Drive, Ringshall, Little Gaddesden, Berkhamsted, Herts.
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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 25th. November, 1963, and received with sufficient particulars on 28th. November, 1963, 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 20th. day of February, 19 64.

[Signature]
 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.



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/1919/A/81427

Your reference:

15 JAN 1965

Gentlemen,

Town and Country Planning Act 1962: Section 23

Appeal by Mrs. C. M. Aylwin

Application No. W/2461/63

I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. H. D. Dawson, A.R.I.B.A., A.R.I.C.S. A.M.T.P.I., who held a local inquiry into your client's appeal against the refusal of Berkhamsted Rural District Council, acting on behalf of Hertfordshire County Council, to permit the erection of a dwellinghouse on land adjoining Canford, Alderton Drive, Little Gaddesden.

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

3. The Inspector finds that the appeal site is an almost rectangular piece of woodland, about 2 acres in extent, situated between two plots of roughly similar size and character, each developed with a detached house. He notes that the site lies in an extensive partly-developed, low-density residential area, and thinks that with carefully considered siting and design it would be possible to erect a single detached house on the land without detracting in the least from the characteristics of the locality. The existence of such a house would not in his opinion interfere with the public enjoyment of any proposed green belt, with agriculture, with forestry, or with the reasonable privacy or enjoyment of any existing dwelling. Moreover, the development proposed would not involve the formation of plots out of keeping with the locality in shape or size, or any intrusion on amenity through an extension of the Alderton Drive development. The Inspector recommends that the appeal be allowed conditionally.

4. The Minister agrees with his Inspector's conclusions and accepts his recommendation. He has therefore decided to allow the appeal and he hereby gives permission for the erection of a dwellinghouse on the land in question, subject to the condition that the siting, design and external appearance of the building and the means of access thereto shall be as may be agreed with the local planning authority or, in default of agreement, as shall be determined by the Minister.

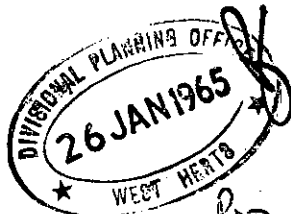
5. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 13 of the Town and Country Planning Act 1962.

I am, Gentlemen,
Your obedient Servant,

Messrs. Crossman, Block and Keith
Solicitors
16 Theobald's Road
Gray's Inn
LONDON W.C.1

(Signed) D. G. POMEROY

(D. G. POMEROY)



Authorised by the Minister
to sign in that behalf.