

H.C.C. Code No.	W/2955/64
L.A. Ref. No.	BR/153/64

ADMINISTRATIVE COUNTY OF HERTFORD

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

TOWN & COUNTRY PLANNING ACT, 1962

To

Mr. R.K. Cawdery,
"Bonansa",
Tinkers Lane,
Chapneys.

per

Messrs. Brown & Merry,
"Beech Grove",
35 Hoskeliffe Street,
Leighton Buzzard.

at	Erection of one detached house and garage, Fox Road, Wigginton, Nr. Tring.
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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
and received with sufficient particulars on 16th December, 1964.
and shewn on the plan(s) accompanying such application. 20th January, 1965.

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 4th day of March 19 65.

[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: *Locaplan, Parl, London*

Telephone: TRAFalgar 8020 , ext. 263

Please address any reply to
THE SECRETARY
and quote: APP/1919/A/95908
Your reference: PHA/NC



20 OCT 1965

W/2955-64

Gentlemen,

Town and Country Planning Act 1962 - Section 23
Appeal by Mr. R. K. Cawdery

1. I am directed by the Minister of Housing and Local Government to refer to 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 detached house and garage on land fronting Fox Road, Wigginton. Consideration has been given to the written representations made in support of the appeal and those of the council. An officer of the Department has visited the site.

2. A previous appeal relating to the erection of a dwellinghouse and garage on most of the appeal site, which was then within the curtilage of No. 1 Fox Close, was dismissed on 31st August 1962. The site is in the Chilterns area of great landscape value within a proposed extension of the metropolitan green belt where it is the local planning authority's policy not to allow development unless it is required for agriculture or some allied purpose. The proposal, which concerns the erection of a dwelling on the sub-divided curtilage of an existing property, cannot be regarded as infilling or rounding off in the accepted sense and on the information available there appear to be no special circumstances which would justify a decision differing from that given on the previous appeal. The Minister feels that the local planning authority's policy for the area needs support and he has therefore decided to dismiss the appeal, which he hereby does.

I am Gentlemen,
Your obedient Servant,

I. WALLIS

(J. WALLIS)

Authorised by the Minister
to sign in that behalf

Messrs. Brown and Merry
35 Hockliffe Street
LEIGHTON BUZZARD
Beds