

2100

H.C.C. Code No. W/1200/65

L.A. Ref. No. 5731.

ADMINISTRATIVE COUNTY OF HERTFORD

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

TOWN & COUNTRY PLANNING ACT, 1962

To Mr. M. W. Beesley,
 4, Honours Mead,
 Chesham Road,
 BOVINGDON, Herts.

Alterations to existing dwelling at adjoining White Gates, Megg Lane, Chipperfield, Herts. (Part Parcel 197d and 199 on OS. HERTS. XXXVIII.3. & 7.)	Brief description and location of proposed development.
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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 24/9/65 and received with sufficient particulars on 26/10/65 and shewn on the plan(s) accompanying such application.

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

1. The application site is within the Green Belt on both the Approved and Review Development Plans. Under the Local Planning Authority's policy further development in the Green Belt is restricted to that required for agricultural or other essential local needs except in 'excluded' and 'listed' villages. In 'listed' villages, of which Chipperfield is one, infilling development is allowed only within the central part of the village in accordance with the Written Statement to the Review Development Plan. The application site is outside the frontages where infilling development is permitted. The application contains no evidence that the proposed dwelling would comply with the said Green Belt policy and it would therefore constitute additional development in the Green Belt which is not justified.
2. The proposed two-storey dwelling would have a floor area of about 1380 sq.ft. compared with the 480 sq.ft. of the existing single storey building on the site. The proposed development would therefore be approximately three times the size of the existing building (part of which has residential user rights) and would represent a material increase in the residential development of the site which would not comply with the Local Planning Authority's Green Belt policy.

Cont'd.....

Dated 7th day of December 1965

[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.

3. The site is approximately 200ft. from the unadopted road, Hegg Lane, and its proposed development would constitute backland development which is considered to be an unsatisfactory form of development.