

ADMINISTRATIVE COUNTY OF HERTFORD

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

TOWN & COUNTRY PLANNING ACT, 1962

To Messrs. Brown and Merry, Agents for Dr. C.K. Cole, "Beech Grove", 35, Hookliffe Street, LEIGHTON BUZZARD, Beds.

Conversion of an existing barn into three self-contained maisonettes, at Stud Farm, West Leith, Tring, Hertfordshire.

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 6th October, 1965. and received with sufficient particulars on 9th October, 1965. 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 an Area of Great Landscape Value and also within a proposed extension to 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 some other local purposes. In the opinion of the Local Planning Authority the proposed development is not essential to the locality and would constitute additional residential development in a proposed Green Belt which is not justified by an agricultural or essential local need in conformity with the Local Planning Authority's Green Belt policy.

Dated 1st day of December, 1965.

Glenn 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

REF APP/1743/A/6005
PHK/GB
W/2129-65

6th September, 1966.



Gentlemen,

Town and Country Planning Act 1962 - Section 23
Appeal by Dr. C.K. Cole
Premises at Stud Farm, West Leith, Tring, Herts
Application No. W/2129/65

1. I am directed by the Minister of Housing and Local Government to refer to your client's appeal against the decision of the Tring Urban District Council, acting on behalf of the Hertfordshire County Council, to refuse planning permission for the conversion of a barn into three self-contained maisonettes at the premises described in the heading of this letter.
2. The written representations made in support of the appeal and those of the council have been considered. An officer of the Department has visited the premises.
3. Stud Farm lies about one mile south-west of the centre of Tring on the western side of an unadopted lane which joins Duckmore Lane some 400 feet to the north. The farm comprises four buildings grouped around the four sides of a courtyard and some pasture land. The appeal building is about 80 years old and is along the south-east side of the paved courtyard. It is single-storey, about 75 feet long and 23 feet wide, with brick walls, tiled roof and open timber roof trusses. It contains five loose boxes entered from the courtyard and its south-east wall abuts directly onto the unadopted lane, which near the site is level and has a recently made carriageway extending from Duckmore Lane to the access to the courtyard at the south-west end of the appeal building. There are grass verges on both sides of the carriageway. Along the north-east side of the courtyard is a building, similar to the appeal building, with an archway access to the adjoining site of a house to the north; part of this building is used as garages, entered from the north side, by the occupants of the house. Along the north-west side of the courtyard is a stable building whose loft is now used as a club rifle range and part of the building was, at the time of the site visit, being converted into garages and a studio. An original stable building along the south-west side was also being converted to a dwelling house, a pasture field to the west being included within its curtilage. There are a small number of old houses in the vicinity of the appeal building but otherwise the surroundings are generally agricultural land with some woodland.
4. The appeal site is within the Chilterns Area of Outstanding Natural Beauty and an area of great landscape value; it is also within a proposed extension of the metropolitan green belt. The Local planning authority's proposals for extending the green belt are at present before the Minister as part of the first review of the Hertfordshire development plan, but in the meantime the planning authority are, with his general agreement, exercising control over new development in accordance with their policy for the approved green belt. Under this policy new development is normally permitted only in the most exceptional circumstances unless it required for agriculture or other rural needs.

/Cont'd...

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The appeal proposal is in outline, but it is understood that three self-contained maisonettes would be formed within the shell of the existing building, the only external alterations likely being dormer windows in the roof and window openings in the walls. Access to the dwellings would be from the courtyard. The local planning authority while agreeing that the conversion could be carried out in such a manner as to have little effect on the appearance of the area object to the proposal on the grounds that it would result in new dwellings in the proposed green belt not required to fulfil any essential agricultural or local needs and unrelated to a village with communal facilities. They point out that residential development of a general character is catered for in Tring and say that in order to maintain the green belt it is essential that unnecessary development of any type should be severely restricted. Although they granted planning permission for the conversion of the south-west stable building into a dwelling in 1961 and again in 1965, the appeal building was included in the site of the 1961 planning permission and it was intended that only one block should be converted and the other two blocks used for garaging and stabling. No reason is seen to disagree with the local planning authority's view that new residential development in this part of the proposed green belt should be severely restricted. Although the proposal involves the conversion of an existing building, it would bring about the creation of new dwelling units in an area where they would not normally be allowed and if the development were permitted it would be difficult for the local planning authority to refuse planning permission for proposals of a similar nature in respect of other buildings in the group of which the appeal building forms a part, thus consolidating the sparse residential development in this rural area. No reason is seen why the appeal building should not be used in connection with the newly converted dwelling to its south-west, or for some purpose appropriate to a green belt and it is considered that the decision to refuse planning permission was fully justified.

5. Accordingly, the Minister hereby dismisses the appeal.

I am, Gentlemen,
Your obedient Servant,

(H. C. HOLLINGTON)

Authorised by the Minister
to sign in that behalf.

Messrs. Brown and Merry
35 Hockliffe Street
Leighton Buzzard
Beds.



MINISTRY OF HOUSING AND LOCAL GOVERNMENT

Whitehall, London, S.W.1

Telegrams: Locoplan, Parl, London

Telephone: TRAFalgar 8020 , ext.

Please address any reply to

THE SECRETARY

and quote: APP/A 743/A/6005

Your reference: PRK/GB

- 6 SEP 1968



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Town and Country Planning Act 1962 - Section 23

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4. The appeal site is within the Chilterns Area of Outstanding Natural Beauty and an area of great landscape value; it is also within a proposed extension of the metropolitan green belt. The local planning authority's proposal for extending the green belt are at present before the Minister as part of the first review of the Hertfordshire development plan, but in the meantime the planning authority are, with his general agreement, exercising control over new development in accordance with their policy for the approved green belt. Under this policy new

/development

Messrs. Brown and Merry
35 Hookliffe Street
Leighton Buzzard
Beds.

Noted

[Handwritten signatures and dates]

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