

H.C.C.
Code No. /7479/65
L.A.
Ref. No. 179/65

ADMINISTRATIVE COUNTY OF HERTFORD

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

TOWN & COUNTRY PLANNING ACT, 1962

To P. Fountaine, Esq.,
Agent for Mr. E. Wright,
27, Castle Street,
BERKHAMSTED, Herts.

..... Outline application for residential development
.....
atx..... on land attached to Newtown House, New Mill, Tring,
.....
Herts.....

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 22nd November, 1965..... and received with sufficient particulars on 23rd November, 1965..... 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 site of the proposed development is not zoned for residential purposes in the Tring Town Map approved as part of the County Development Plan in 1958, and the proposal would, therefore, be contrary to the planning proposals for the area.
- 2. The development, if carried out, would prejudice the implementation of the proposals contained in the First Review to the County Development Plan now before the Minister, in which the site is zoned for Public Open Space. In the opinion of the Local Planning Authority it is essential to retain areas, such as Dundale, for Public Open Space, related to existing and proposed residential areas in the interests of a proper provision of open space for the town.

Dated Tenth day of February, 19 66.....

Clerk/Surveyor of the Council.

NOTE.

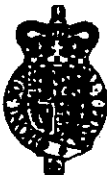
(1) If the applicant wishes to have an explanation of the reasons for this refusal it will be given on request and a meeting arranged if necessary.

(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.

REGIONAL PLANNING DEPARTMENT
17 JAN 1967
HERTS.



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: Locaplan, Parl, London

Telephone: TRAFalgar 8020 , ext. 29

Please address any reply to
THE SECRETARY

and quote: APP/1743/A/6775

Your reference:

RM

Sir,

Town and Country Planning Act 1962: Section 23
Appeal by Mr. E. Wright
Land at Newton House, New Mill, Tring

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. J. K. Watson, P.R.I.C.S., A.M.I.C.E., M.T.P.I., on the local inquiry into 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 residential development on the land described in the heading to this letter (Application No. W/2479/65).

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

3. The Inspector found among other facts that in the approved Tring town map the appeal site was shown to be within a "white" area. In the first review of the town map submitted to the Minister in December 1963, the appeal site was zoned for public open space. In his conclusions the Inspector said that if the remainder of Dundale was to be allocated as a public open space the appeal site should become part of that unit. It was the logical continuation of the grounds of Dundale and would form a valuable link with the residential areas of New Mill to the north-east. Since his conclusions were based on the remainder of Dundale being allocated as a public open space, which was now under consideration by the Minister, the Inspector made no recommendation.

4. The Minister has not yet completed his consideration of the first review of the development plan, but the view is taken that it would be premature to grant permission for residential development on the appeal site at this time. It is noted that access to a public open space at Dundale could be provided for in the layout of the site; nevertheless, the Inspector's conclusions as to the site's value in relation to a public open space on the adjoining land are accepted. To allow the appeal might well prejudice the properly planned development of this part of Tring if the local planning authority's development plan proposals are approved by the Minister in due course and, in all the circumstances, it is considered that the decision to refuse planning permission should be upheld.

5. Accordingly the Minister hereby dismisses the appeal.

I am, Sir,
Your obedient Servant,

P. J. Pountaine, Esq.
27 Castle Street
BERGHAMSTED
Herts.

Noted by
PASS TO
used 12/1/67
Bob Stanger (H. C. HOLLINGTON)
27 JAN 1967
Authorised by the Minister
to sign in that behalf.

MINISTRY OF HOUSING & LOCAL GOVERNMENT

REF APP/1743/A/6775
W/2479-65

12th January 1967

Sir,

Town and Country Planning Act 1962: Section 23
Appeal by Mr. E. Wright
Land at Newton House, New Mill, Tring

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. J.K. Watson, F.R.I.C.S., A.M.I.C.E., M.T.P.I., on the local inquiry into 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 residential development on the land described in the heading to this letter (Application No. W/2479/65).
2. A copy of the Inspector's report is enclosed.
3. The Inspector found among other facts that in the approved Tring town map the appeal site was shown to be within a "white" area. In the first review of the town map submitted to the Minister in December 1963, the appeal site was zoned for public open space. In his conclusions the Inspector said that if the remainder of Dundale was to be allocated as a public open space the appeal site should become part of that unit. It was the logical continuation of the grounds of Dundale and would form a valuable link with the residential areas of New Mill to the north-east. Since his conclusions were based on the remainder of Dundale being allocated as a public open space, which was now under consideration by the Minister, the Inspector made no recommendation.
4. The Minister has not yet completed his consideration of the first review of the development plan, but the view is taken that it would be premature to grant permission for residential development on the appeal site at this time. It is noted that access to a public open space at Dundale could be provided for in the layout of the site; nevertheless, the Inspector's conclusions as to the site's value in relation to a public open space on the adjoining land are accepted. To allow the appeal might well prejudice the properly planned development of this part of Tring if the local planning authority's development plan proposals are approved by the Minister in due course and, in all the circumstances, it is considered that the decision to refuse planning permission should be upheld.
5. Accordingly the Minister hereby dismisses the appeal.

I am, Sir,
Your obedient Servant,

(H. C. HOLLINGTON)

Authorised by the Minister
to sign in that behalf.P.J. Fountaine, Esq.,
27 Castle Street,
BERKHAMSTED
Herts.