

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the Borough of ... Urban District of ... Rural District of Hemel Hempstead.

TOWN & COUNTRY PLANNING ACT, 1947

To Mr. J.B. and Mrs. L.E. Gilbert, Three Sisters Cafe, Watling Street, Flamstead.

Motel at Three Sisters Cafe, Watling Street, Flamstead, Herts. (Part of Parcel 106 on OS. HERTS. XXV1.4)

Brief description and location of proposed development.

In Pursuance of their powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, and under the COUNTY OF HERTFORD (Delegation of Planning Functions) Scheme, 1952, the Council on behalf of the Local Planning Authority hereby refuse the development proposed by you in your application dated 14/2/61 and received with sufficient particulars on 15/2/61 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 is included within an area proposed as an extension to the Metropolitan Green Belt in accordance with Circular 42/55. To preserve the rural character of the area it is the Local Planning Authority's policy to restrict new building development to that essentially required either for agricultural purposes or for local community needs. There is no evidence to suggest that the development proposed will comply with this policy and it therefore represents undesirable new building development in the Green Belt.

(2) If there was no objection to the use of the land as a Motel the development as proposed would still be unsatisfactory by reason of the proposed density and lay-out of the site, which would constitute intensified building development with very little opportunity for landscaping. The development if carried out in accordance with the proposed lay-out would therefore be seriously detrimental to the visual amenities of the area, particularly having regard to the exposed nature of the site.

Dated 17th day of October 1961.

Clerk/Surveyor of the Council.

NOTE.

(1) 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 16 of the Town and Country Planning Act, 1947. 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 provisions of Section 14 of the Act and of the Development Order and to any directions given under the Order.

(2) 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 Borough or 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 19 of the Town and Country Planning Act, 1947.

(3) 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 20 of the Town and Country Planning Act, 1947, and Part II of the Town and Country Planning Act, 1954.

MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, London S.W. 1

APP/2142/A.61125; 61126 and 61127.
W/357-61, 1954-60, 1953-60.

14 FEB 1962

20th November 1962.

Sir,

Town and Country Planning Act, 1947 - Section 16
Land at Watling Street, Flamstead, near St. Albans
Appeals by Mr. J. B. and Mrs. L. E. Gilbert.

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. A. G. Harcourt, M.F.P.I., A.R.I.C.S., on the local inquiry into your clients' appeals against the decisions of the Hemel Hempstead Rural District Council acting on behalf of the Hertfordshire County Council, to refuse permission for:-

1. Residential development adjacent to "Three Sisters Cafe" and fronting Old Watling Street.
2. Redevelopment of the whole site for housing including the demolition of "Three Sisters Cafe", and
3. The establishment of a "motel" at "Three Sisters Cafe".

2. The Inspector, a copy of whose report is enclosed, recommended that the appeals (1) and (2) be dismissed for the following reasons:-

- (a) The development of the site either as a whole or in part would conflict with the proposal to include this site within the Metropolitan Green Belt wherein no further development would be permitted except for agriculture and other essential needs to which the proposal was not applicable.
- (b) The development would be unrelated to any established village community and would form an unwarranted extension to an existing ribbon of houses. This would further detract from the rural scene and character of the area and there would be a lack of local shops, village school and other community facilities.

He also recommended that the appeal under (3) above be dismissed because:-

- (a) The site was within a proposed extension to the Metropolitan Green Belt wherein no further development would be permitted except for agriculture and other essential needs, and such a need in this location had not been established.
- (b) The development of the site as a "motel" would form a visual intrusion upon the rural scene and character of the area.

3. The Minister agrees with the findings of his Inspector and accepts his recommendations; accordingly he dismisses your clients' appeals.

I am, Sir,
Your obedient Servant,

(MISS E. M. BARBER)

Authorised by the Minister to
sign in that behalf.

R. G. Dixon, Esq., F.R.I.C.S., F.A.I.,
10, Spencer Street,
ST. ALBANS,
Herts.