

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the BOROUGH OF Hemel Hempstead

~~Urban District Council~~

~~Rural District Council~~



TOWN & COUNTRY PLANNING ACT, 1962

To

W.W. Saunders Limited,  
Two Waters Road,  
Hemel Hempstead

Whose agent is -  
Mr. S.J. Carter,  
32 Christchurch Road,  
Hemel Hempstead

erection of fence and gates  
at Two Waters Road,  
Hemel Hempstead

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 permit the development proposed by you in your application dated 11th February 1964 and received with sufficient particulars on 17th February 1964 and shewn on the plan 7593/5 accompanying such application, subject to the following conditions:—

The gates and fences shall be close boarded or constructed in a similar screening material.

PLEASE SEE NOTES OVERLEAF  
Please Turn Over

The permission referred to in this notice does not constitute—

- (i) A consent under section 75 of the Highways Act 1959
- (ii) A passing of the plans or a consent for any of the purposes of the Public Health Act, 1936 as amended;
- (iii) A consent under the Public Health (Drainage of Trade Premises) Act, 1937;
- (iv) An approval under the Clean Air Act, 1956;
- (v) A passing of plans under the Thermal Insulation Act, 1957.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:—

To maintain and improve the good aspect of the area particularly from the open space to the west.

Dated Seventh day of April 19 64



Clerk/Surveyor of the Council.  
Town ~~XXXXXX~~

NOTE.

(1) If the applicant wishes to have an explanation of the reasons for this decision 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 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 provisions 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 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: *Locoplan, Parl, London*

Telephone: VICTORIA 8540 , ext.

Please address any reply to

THE SECRETARY

and quote: AFP/1199/A/82934

Your references: RF/DN

15 DEC 1964

Gentlemen,

Town and Country Planning Act 1962  
Appeal under Section 23 - Application No. W/438/64

I am directed by the Minister of Housing and Local Government to refer to your company's appeal against the decision of Hemel Hempstead Borough Council, acting on behalf of Hertfordshire County Council, to grant permission for the erection of 8 foot high gates and chain link fencing at Two Waters Road, Hemel Hempstead, subject to the condition that the gates and fences shall be close boarded or constructed in a similar screening material. The Minister has considered the written representations made in support of the appeal and those of the council. One of his officers has visited the site.

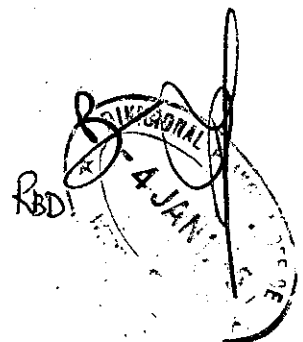
The approach to Marlowes on the south side of Hemel Hempstead is attractive and well laid out and it is obvious that much skill and attention has been given to landscaping and to the design and layout of new buildings and to the integration of some of the older dwellings and buildings with the new development. The new garage buildings on your company's land are conspicuous from Heath Park but are not out of place in the urban scene. The backs of buildings in Lawn Lane (which include a public house and second hand car dealer's with advertising sign) and the dwellings on higher ground to the east, however, are exposed to the south of the main garage. This weak feature in the overall layout is emphasised by the untidy parking area on your company's premises which is exposed to view in the gap now proposed to be fenced.

The Minister considers that the erection of a chain link fence with gates in the position shown would be discordant and out of place adjacent to this attractive approach to Hemel Hempstead where attention has been given to the elevations of the buildings facing the open space, and to the landscaping of the gardens. Moreover an open fence of this type would expose the untidy parking area to full view.

The Minister has therefore reached the conclusion it would be wrong to permit the erection of the proposed chain link fencing. He notes that the application for permission was a detailed one, and since the council were not prepared to permit the erection of the fencing and gates in accordance with the deposited plans he considers that their proper course of action would have been to refuse permission. In the circumstances the Minister has decided, in accordance with the provisions of Section 23(4) of the 1962 Act, to deal with the application as if it had been made to him in the first instance, and he hereby refuses permission for the erection of 8 foot high chain link fencing with gates on the land in question.

/The Minister

Messrs. Walter W. Saunders Limited  
Two Waters Road  
HEMEL HEMPSTEAD  
Hertfordshire



The Minister notes that in their representations on the appeal your company emphasised the security aspect of the case, and if this is the company's main concern he does not think that there should be much difficulty in the way of agreement being reached between yourselves and the council as to a satisfactory fence, or fence and screen, on this frontage.

I am, Gentlemen,  
Your obedient Servant,

(Signed) D. G. POMEROY

(D. G. POMEROY)

Authorised by the Minister  
to sign in that behalf.

