

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the BOROUGH OF HEMEL HEMPSTEAD
URBAN DISTRICT OF
RURAL DISTRICT OF

TOWN & COUNTRY PLANNING ACT, 1947

To Mr. A.R. Lowe,
3 Piccotts End Lane,
Hemel Hempstead

site for dwelling and garage
at Piccotts End, Hemel Hempstead

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 26th February 1961 and received with sufficient particulars on 6th March 1961 and shewn on the plan(s) 7583 accompanying such application.

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

The site is within the proposed local green belt and the development is not essential for the needs of agricultural or allied purposes.

Dated 11th day of April 195 /61
Town Clerk/Surveyor of the Council.

PLEASE SEE NOTES OVERLEAF
SEE NOTES OVERLEAF

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

Telegrams: Locoplan, Parl, London

Telephone: VICTORIA 8540, ext.

29 SEP 1961

Please address any reply to  
THE SECRETARY  
and quote: APP/A/45992  
Your reference:

Madam,

Town and Country Planning Act 1947: Section 16

1. I am directed by the Minister of Housing and Local Government to say that he has considered your appeal against the refusal of the Hemel Hempstead Borough Council, acting on behalf of Hertfordshire County Council, to permit the erection of a dwelling and garage on land adjacent to Marchmont Farm, Piccotts End. He has considered the representations made in support of the appeal and the council's observations thereon. One of his officers has visited the site.

2. In the Minister's opinion the appeal site, part of a pasture field, is outside the southern limits of the development area of the village of Piccotts End. The proposed dwelling would be in a prominent position and would be an intrusion into the open wedge of countryside between the village and Hemel Hempstead. He thinks the council are right to restrict development in this open wedge, to that required essentially in the interests of agriculture or other rural purposes. While he sympathizes with your reasons for wanting to live at Piccotts End, he does not consider that they are sufficient to justify his overriding the planning objections. The Minister has accordingly decided to dismiss your appeal.

I am, Madam,  
Your obedient Servant,

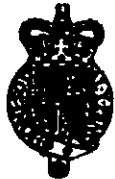
(MISS E. M. BARBER)

Authorised by the Minister to sign in  
that behalf.

Mrs. A. L. Lowe,  
3, Piccotts End Lane,  
Hemel Hempstead,  
Herts.

W. Russell  
10.19.61  
-47

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MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: Locaplan, Parl, London

Telephone: TRAFALGAR 8020 , ext. 263

Please address any reply to

THE SECRETARY

and quote: AFP/1199/A/93546

Your reference:

30 SEP 1965

Sir,

Town and Country Planning Act 1962  
Appeal under Section 23

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. F. M. Burgess, B.Sc., M.I.C.E., on the local inquiry into your appeal against the refusal of Hemel Hempstead Borough Council, acting on behalf of Hertfordshire County Council, to permit the erection of two dwellings on land adjoining Marchmont House, Piccott's End, Hemel Hempstead.

2. The Inspector, a copy of whose report is enclosed, was of the opinion that the proposed development would in itself do little harm to the appearance of the locality or to the character of Piccott's End if it were possible to retain the wall along the frontage of the site. However, the appeal land was on the inside of a bend in the road and the wall would have to be removed in order to provide visibility splays for a vehicular access from the site. If the wall were removed, the development would be open to view from Piccott's End Road and it would detract from the appearance of the locality. The appellant had suggested that the wall could be retained and that a vehicular access could be constructed over land to the south of the site, but the construction of such an access would necessitate some tree felling in order that visibility splays could be provided, and this again would have a harmful effect on the appearance of the locality. The Inspector considered that the character and identity of Piccott's End were worthy of preservation, and that if the proposed development were allowed, the planning authority would find it difficult to refuse permission for the erection of dwellings on other land along Piccott's End Road. There was a substantial amount of undeveloped frontage land in the villa and, if this were developed, the character of Piccott's End would be destroyed. The Inspector concluded that there were no exceptional circumstances in this case which would warrant permission being granted for the erection of dwellings in a proposed extension to the metropolitan green belt where there was a presumption against any new building; the site was not a small gap in a substantially developed frontage and the development proposed did not fall into the category of infilling. He recommended that the appeal be dismissed.

3. The Minister has not yet given formal approval to the local planning authority proposals for extending the metropolitan green belt in Hertfordshire, which are now before him as part of the review of the development plan: nevertheless the planning authority are, with his general approval, exercising control of development in accordance with their green belt policy. The Minister agrees with his Inspector's conclusions on the proposal under appeal, and accepts his recommendation: accordingly he hereby dismisses the appeal.

I am, Sir,  
Your obedient Servant,

R. Rolf Esq.  
Byton Old Hall  
Nr. Leominster  
Herefordshire

H. C. HOLLINGTON

(H. C. HOLLINGTON)  
Authorised by the Minister  
to sign in that behalf