

H.C.C. Code No. W/493/61
L.A. Ref. No. 4750

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the BOROUGH OF
URBAN DISTRICT OF
RURAL DISTRICT OF Hemel Hempstead.

TOWN & COUNTRY PLANNING ACT, 1947

To R. Olver Esq.,
Highfield Farm,
Flamstead,
Herts.

Use of land for residential development	WEST HERTS DISTRICT COUNCIL 14 APR Brief description and location of proposed development.
at Old Watling Street, Flamstead.	
(Part of Parcel 106 on OS. HERTS. XXV1.4)	

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 24/2/61 and received with sufficient particulars on 2/3/61 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 falls within a proposed Local Green Belt in which it is the policy of the Local Planning Authority to restrict further development to that required for the essential needs of the local community or for the housing of agricultural workers in order to prevent unnecessary expansion of villages and to maintain the amenities and character of the area generally. In the opinion of the Local Planning Authority the proposed development would not conform to their policy and would represent an extension of development in the countryside which has not been justified by any need arising from the local community or for the housing of agricultural workers.

Dated 4th day of April 1961

W. Washburn
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 AND LOCAL GOVERNMENT.
Whitehall, London, S.W.1.

31st October, 1961.

Gentlemen,

Town and Country Planning Act, 1947: Section 16.
Appeal by Mr. R. Olver.

1. I am directed by the Minister of Housing and Local Government to say that he has considered your client's appeal against the refusal of the Hemel Hempstead Rural District Council, acting on behalf of Hertfordshire County Council, to permit the use for residential development of land adjoining 'Ivydene', Old Watling Street, Flamstead. 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. The appeal site lies in a prominent pocket of development in the proposed extension to the metropolitan green belt and the Minister considers that further development here should be resisted unless there are exceptional circumstances. In his opinion the existing ribbon of development along Old Watling Street intrudes into the pleasant rural area and the proposed development would only increase the harmful effect on the rural amenities which has already been caused. He notes your client's contention that the erection of houses on the appeal site would assist in meeting the housing needs of the local community, but he sees no reason why development required to meet essential local needs cannot be contained within existing villages in the area where communal facilities exist. He has therefore decided to dismiss your client's appeal.

I am, Gentlemen,
Your obedient Servant,

(Signed) Miss. E.M. Barber.

Authorised by the Minister to
sign in that behalf.

Messrs. W.J. Fraser & Son,
Solicitors,
78, Dean Street,
Soho Square,
London, W.1.

