

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the BOROUGH OF Hemel Hempstead
MURRAY DISTRICT OF
RURAL DISTRICT OF

TOWN & COUNTRY PLANNING ACT, 1947

To Mr. & Mrs. A. and E.R. Howe, "Fred's Cafe" London Road, Bourne End, Hemel Hempstead. Messrs. W. Brown & Co., 128, High Street, Barchansted.

site for bungalow
part of "Fred's Cafe" London Road, Bourne 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 April 1961 and received with sufficient particulars on 1st May 1961 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 falls within an area defined by the local planning authority as a local green belt in accordance with the provisions of Circular No. 42/55, in which it is the policy of the local planning authority to prevent extension of the existing development in the interests of the maintenance of the green belt and the preservation of its amenities.
2. By reason of its lack of a frontage to any highway and the proximity of the proposed bungalow to the boundaries of the site the development would be unsatisfactory in relation to existing nearby development.
3. The sole access to the site through the existing cafe car park is considered to be unsatisfactory for residential purposes and would reduce the effective car parking area.

Dated 29th day of May 1961

Clerk/Surveyor of the Council

PLEASE 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.

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MINISTRY OF HOUSING & LOCAL GOVERNMENT  
Whitehall, LONDON, S.W.1

Telegrams: *Locoplan, Parl, London*

Telephone: VICTORIA 8540 , ext. 126

25 APR 1962

Please address any reply to

THE SECRETARY

and quote:

APP/A/48972

Your reference:

Gentlemen,

Town and Country Planning Act, 1947, Section 16  
Land adjoining Fred's Cafe, Bourne End  
Appeal by Mr. and Mrs. Rowe

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Miss J. M. Albery, A.R.I.B.A., A.M.T.P.I., A.I.L.A., on the local inquiry into your clients' appeal against the decision of the Hemel Hempstead Borough Council acting on behalf of the Hertfordshire County Council, to refuse permission for the erection of a bungalow on land adjoining Fred's Cafe, Bourne End.

2. The Inspector, a copy of whose report is enclosed, recommended that the appeal be dismissed for the following reasons:-

- (1) The site was within a local green belt forming a proposed extension of the metropolitan green belt.
- (2) The site was in itself unsatisfactory for reasonable enjoyment in residential use by reason of its restricted shape and close proximity to the car park of the adjacent transport cafe.

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

I am, Gentlemen,  
Your obedient Servant,

(MISS E. M. BARBER)

Authorised by the Minister  
to sign in that behalf

Messrs. W. Brown and Company,  
128 High Street,  
BERKHAMPTON,  
Hertfordshire.

AF Russell 26.4.62  
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SENT