

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To Trustees of Mr. C. Gulliver, Whose agent is-
o/o. Messrs. Adams & Adams, P.W.Poulter, Esq.,
19 Alexandra Road, 57 Marlowes,
Hemel Hempstead. Hemel Hempstead.

Site for one bungalow
Gravel Hill Terrace, 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 8th July 1958 and received with sufficient particulars on 11th July 1958 and shewn on the plan(s) No. 6257 accompanying such application.

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

- 1. It would not be possible for an adequate distance to be maintained between the proposed bungalow and the existing bungalow known as Buena Vista.
2. The size of the plot is inadequate for the proposed development, which would be out of keeping with the standards of residential development in this area.

Dated 13th day of August 1958.

C. W. ... Town Clerk/Summoner 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.

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TO	
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B.S.	1906.59
M.O.H.	
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Victoria 8348

6 APR 1959

Sir,

Town and Country Planning Act, 1947 - Section 171  
Land at Gravel Hill Terrace, Hemel Hempstead, Herts.  
Appeal by Mr. R. H. Palmer

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. C. Stone, B.Sc. (Eng.) A.M.I.C.E., N.T.P.I., on the local inquiry into the above mentioned appeal against the refusal of the Hemel Hempstead Borough Council, acting on behalf of the Hertfordshire County Council, to grant planning permission for the erection of a bungalow on land at Gravel Hill Terrace, Hemel Hempstead.

2. The site has a frontage of 90 ft. to the south side of Gravel Hill Terrace and a depth of 90 ft. and comprises the rear part of the garden of a large bungalow, "Ducan Vista", which has a frontage of 90 ft. to Cooper Road and a depth, including the appeal site, of 170 ft. The surrounding area is residential, the properties in Cooper Road are mainly on frontages of about 45 ft. with a depth similar to that of "Ducan Vista", while those on the south side of Gravel Hill Terrace extend mainly to a depth of some 150 ft. to 170 ft.

3. On behalf of your client the following main points were made:-

- (a) The proposed bungalow would be 67 ft. from "Ducan Vista" and 15 ft. from the property adjoining to the west.
- (b) A 5 ft. 9 in. close boarded fence was proposed on the eastern boundary to prevent overlooking.
- (c) The bungalow in Cooper Road occupied plots no larger than the appeal site.
- (d) The development would be infilling.
- (e) Both the appeal site and "Ducan Vista" were in your client's ownership and he was unlikely to do anything which would detract from the value of his property.
- (f) The local residents had not objected.

4. The main points for the Council were:-

- (a) To set up a balanced community in Hemel Hempstead, areas should be allocated for higher class development. Gravel Hill Terrace was one of the roads intended for this, and the planning permissions which had been granted all provided for a higher standard of development than that now proposed.
- (b) The bungalow would be much too close to "Ducan Vista" and the plot size was inadequate.
- (c) The bungalow would have a rear garden depth of only about 45 ft. allowing for a 20 ft. building line.

/s.

P. S. Faulter, P.A.L.P.A.,  
57, Hemel Hempstead,  
Herts.

5. The Inspector observed that although the proposed plot was smaller than the average in Gavel Hill Terrace, the size of the plot did not determine the standard of the building to be erected on it, and he thought that it would be possible to erect a bungalow in keeping with the bungalows in the immediate vicinity. He also noted that there were no objections from local residents. He recommended that the appeal be allowed.

6. The Minister accepts the Inspector's recommendation. He sees no reason to doubt that the site can be developed satisfactorily and without detriment to the surrounding area. Accordingly, he has decided to allow the appeal and he hereby grants permission for the erection of one bungalow on the appeal site, subject to the condition that the siting, design and external appearance of the building shall be as may be agreed with the local planning authority or, in default of agreement, as shall be determined by the Minister.

7. This letter is issued as the Minister's formal decision on the appeal and does not purport to convey any approval or consent which may be required under any enactments (including bylaws, orders or regulations) other than section 12 of the Town and Country Planning Act, 1947.

8. A copy of the Inspector's report will be supplied if a request for it is made to the above address within one month from the date of this letter.

I am, Sir,  
Your obedient servant,

(S. O. G. WILKINSON)

Authorized by the Minister to  
sign in that behalf.