

ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the BOROUGH OF HEMEL HEMPSTEAD  
~~HEMEL HEMPSTEAD~~  
~~HEMEL HEMPSTEAD~~

TOWN & COUNTRY PLANNING ACT, 1947

To Mr. J. A. Procter  
Poucheu End Farm  
Bourne End  
Hemel Hempstead

Whose agents are :  
Messrs. W. Brown & Co.  
128 High Street,  
Berkhamsted

Site for agricultural dwelling  
at Winkwell, 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 5th June 1961 and received with sufficient particulars on 8th June 1961 and shewn on the plan(s) <sup>7723</sup> accompanying such application.

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

The site of the proposed development lies within the green belt where it is the policy of the local planning authority to restrict development to that considered to be essential to the area and the use of the land as a smallholding and the erection of a dwelling and other buildings on it are considered not to be essential to the area or to the maintenance of the land for agricultural purposes.

Dated 19th day of July 1961

*[Signature]*  
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. 126

Please address any reply to  
THE SECRETARY  
and quote: 1199/A/52072  
Your reference:

25 MAY 1962

Gentlemen,

Town and Country Planning Act - Section 16  
Land at Winkwell, Peachen End Lane, Bourne End  
Appeal by Mr. J. A. Proctor

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. A. David Owen, F.R.I.C.S., M.I.M.M.E., on the local inquiry into your client's 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 an agricultural dwelling on land at O.S. 108 and 1023, Winkwell, Peachen End Lane, Bourne End.

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

- (1) The proposal included residential development in the green belt and no need on agricultural grounds had been shown to exist.
- (2) The proposed development would tend to destroy the present character of Winkwell.

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

I am, Gentlemen,  
Your obedient Servant,

(MISS E. N. BARBER)  
Authorised by the Minister  
to sign in that behalf.

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

