

ADMINISTRATIVE COUNTY OF HERTFORD

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

TOWN & COUNTRY PLANNING ACT, 1962

To
J. Sunderland, Esq.,
c/o Messrs. Sunderland (Herts) Hauliers Ltd.,
1, Alexandra Road,
Kings Langley, Herts.

Access
at Ridgeway Close, London Rd. Hemel Hempstead
(Pt. Parcel 460 on OS. HERTS XXXIII.16)

Brief description and location of proposed development.

In pursuance of their delegated powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council on behalf of the Local Planning Authority hereby refuse the development proposed by you in your application dated 27.5.64 and received with sufficient particulars on 29.8.64 and shewn on the plan(s) accompanying such application.

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

The construction of the proposed access on this section of the Trunk Road which has restricted visibility would be prejudicial to the safety and free flow of traffic on the Trunk Road.

Dated 1st day of December, 1964

Clerk/Superior of the Council

SEE NOTES OVERLEAF

NOTE.

(1) If the applicant wishes to have an explanation of the reasons for this refusal it will be given on request and a meeting arranged if necessary.

(2) 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 23 of the Town and Country Planning Act, 1962. 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 provision of Section 17(1), 18(1) and 38 of the Act and of the Development Order and to any directions given under the Order.

(3) 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 District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.

(4) 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 123 and Part VI of the Town and Country Planning Act, 1962.



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: APP/A/49304

Your reference:

30 APR 1962

Sir,

Town and Country Planning Acts, 1947 - 1959
Land adjoining No. 17, Ridgeway Close, Hemel Hempstead
Appeal by Mr. Jack Sunderland

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. F. M. Smith, C.B.E., B.A., F.R.I.C.S., on the local inquiry into your client's appeal against the decision of the Hemel Hempstead Rural District Council, acting on behalf of the Hertfordshire County Council, to refuse permission for the erection of a detached bungalow on land adjoining No. 17 Ridgeway Close, Hemel Hempstead.
2. The Inspector, a copy of whose report is enclosed, recommended that your client's appeal be dismissed because he had not established an overriding need for a new house in an area subject to green belt restrictions; nor could the proposed development be considered on the basis that it would amount to minor infilling between existing houses.
3. The Minister agrees with the findings of his Inspector and accepts his recommendation; accordingly he dismisses your client's appeal.

I am, Sir,

Your obedient Servant,

L. B. GRIMSHAW.

for (MISS E. M. BARBER)

Authorised by the Minister
to sign in that behalf.

J. E. Telford, Esq.,
249, Baldwin's Lane,
Croxley Green,
Rickmansworth,
Herts.





MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: *Locaplan, Parl, London*

Telephone: TRAFALGAR 8020

, ext. 130

1501

Please address any reply to

THE SECRETARY

and quote: APP/2142/A/93109

Your reference:

W/1293-64.

30 SEP 1965

Gentlemen,

Town and Country Planning Act 1962 Section 23
Appeal by Mr. J. Sunderland

1. I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. L. F. Goodwin, A.M.I.Mun.E., A.M.T.P.I. on the local inquiry into your client's appeal against the refusal of the Hemel Hempstead Rural District Council, acting on behalf of the Hertfordshire County Council, to permit the formation of a new access to London Road, A.41(T), for the development of the site of 24 garages on land adjoining Ridgeway Close and fronting London Road, Hemel Hempstead.
2. The Inspector, a copy of whose report is enclosed, found that the proposed access required in order to implement a valid planning permission for 24 garages, which was given subject to a condition that access should be made only from an existing service road, Ridgeway Close: this means of access is not available to your client. The Inspector was of the opinion that it would be entirely wrong to allow a new access to the trunk road at the site at the present time. There was no doubt that the access would be a major hazard on the trunk road, and seriously prejudice the free flow of traffic by turning and waiting traffic because of the narrow carriageway. Further, the interruption of traffic flow at the access would be a likely cause of accidents. However, when the trunk road became of less importance in the future, because of new roads in the locality which were proposed, a different appraisal of the proposed development might be likely. He recommended that the appeal be dismissed.
3. The Minister agrees with the Inspector's conclusions and accepts his recommendation; accordingly he hereby dismisses your client's appeal.

I am, Gentlemen,
Your obedient Servant,

H. C. HOLLINGTON

(H. C. HOLLINGTON)

Authorised by the Minister
to sign in that behalf.

Messrs. Stimpson, Lock and Vince
Opposite Town Hall
WATFORD
Herts.

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