

H.C.C. Code No. W/1571/65
L.A. Ref. No. 5688

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the ~~Borough of~~
~~Urban District of~~
RURAL DISTRICT OF Hemel Hempstead.

TOWN & COUNTRY PLANNING ACT, 1962

To Mr. & Mrs. J.B. Gilbert,
22, Stockwood Crescent,
Luton, Beds.

Filling Station, Workshop and site works
at Three Sisters Cafe, Flamstead, Herts.
(Part Parcel 106 on OS. HERTS. XXVI.4)

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 7/7/65 and received with sufficient particulars on 12/7/65 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 proposed petrol filling station would increase the number of vehicular turning movements to and from the trunk road at this site. As the carriage-way is narrow and as this length of road is not speed restricted these additional movements would be detrimental to the freedom of flow and safety of the trunk road traffic.
- 2. There is an existing petrol station on the same side of the road about one mile to the south and there is, therefore, not such a need for additional facilities as would justify setting aside the highway objections.
- 3. The site is within a proposed extension of the Metropolitan Green Belt in which it is the policy of the Local Planning Authority to permit only such development as is required for agricultural or other essential purposes. In the opinion of the Local Planning Authority the erection of motor repair workshops on this site would not comply with the said policy.
- 4. The erection of the proposed workshop buildings and the use of surrounding land for the parking of cars in connection therewith would be detrimental to the visual amenities of the locality which is rural in character.

Dated 21st day of September 1965

[Signature]
Clerk ~~Supervisor~~ of the Council.

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.