

H.C.C. Code No. W/2028/62
L.A. Ref. No. 5071

ADMINISTRATIVE COUNTY OF HERTFORD.

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

TOWN & COUNTRY PLANNING ACT, 1947

To Messrs. W.T. Sharpe Limited,
18 Cardiff Road,
Luton, Beds.

Use of land for residential development
.....
at College Farm, Flamstead, Herts.
(Parcel 219 & Part Parcels Nos. 225 & 244 on O3.HERTS.XXV11.5)

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 11/10/62 and received with sufficient particulars on 12/10/62 and shewn on the plan(s) accompanying such application.

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

The site is within a proposed extension of the Metropolitan Green Belt where it is the policy of the Local Planning Authority not to allow development unless it is required for agricultural or allied purposes. No such need has been proved.

Dated 1st day of January 1963

W. W. Sharpe
Clerk/Surveyor 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.



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: Locoplan, Parl, London

Telephone: VICTORIA 8540

Please address any reply to

THE SECRETARY

and quote: APP/1142/A/71927

Your reference: CB/DJF

W/2028-62



5 FEB 1964

Gentlemen,

Town and Country Planning Act 1962 - Section 23
Appeal by Messrs. W. T. Sharpe Limited.

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. B. Pearson, A.M.I.Mun.E., A.M.T.P.I., on the local inquiry into your clients' appeal against the decision of the Hemel Hempstead Rural District Council, acting on behalf of the Hertfordshire County Council to refuse permission for the use of land at College Farm, Flamstead for residential development.

2. The Inspector, a copy of whose report is enclosed, said that Flamstead was a large village in rural surroundings at the eastern end of a spur from the Chilterns. It was within a proposed extension of the metropolitan green belt. The appeal site was the north-western part of a farm and was about 5.16 acres in area. It was in the corner of the village and almost surrounded by development; because of this and other possible development he was of the opinion that it was suitable for residential development. The proposal would help the considerable demand for dwellings and round off development in this part of Flamstead without having any measurable effect upon the proposed extension to the green belt. He recommended that the appeal be allowed.

3. The Minister agrees with his Inspector's views. Although the appeal site is rather large to be regarded as "infilling" in the normal sense, it is within the core of the village and is almost entirely surrounded by existing development or land committed to development. In these circumstances it contributes little to the value of the green belt in this area. In view of this and the general need for more housing the Minister thinks it would be unreasonable to withhold permission. Accordingly he accepts his Inspector's recommendation and allows your clients' appeal. He hereby grants permission for use of land at College Farm, Flamstead for residential development subject to the condition that the siting, design and external appearance of the buildings and the means of access shall be as may be agreed by the local planning authority, or in default of agreement, as shall be determined by the Minister.

4. This letter does not convey any approval or consent required under any enactment byelaw, order or regulation other than section 13 of the Town and Country Planning Act 1962.

I am, Gentlemen,
Your obedient Servant,

(MISS E. M. BARBER)

Authorised by the Minister
to sign in that behalf.

Messrs. Machin and Company
Solicitors
17/19 George Street West
LUTON
Beds.