

### ADMINISTRATIVE COUNTY OF HERTFORD.

The Council of the ~~Hertfordshire~~ .....  
~~Hertfordshire~~ .....  
 Rural District of Hemel Hempstead.

### TOWN & COUNTRY PLANNING ACT, 1947

To Mr. A. Lindley,  
 Lindley's Service Station,  
 Piccotts End,  
 Hemel Hempstead.

Land for Service Station at Piccotts End, Hemel Hempstead. (Part Parcel 323 on OS.HERTS.XXX111.3)
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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, the Council on behalf of the Local Planning Authority **hereby refuse** the development proposed by you in your application dated..... 2/11/62 ..... and received with sufficient particulars on..... 9/11/62 ..... 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 site is outside the existing development of Piccotts End and within the proposed extension of the Metropolitan Green Belt, in which it is the policy of the Local Planning Authority to permit only development required for agricultural or other essential purposes. In the opinion of the Local Planning Authority there is no justification for the establishment of a Filling Station on this site and the proposed development would, therefore, constitute undesirable new development in the proposed Green Belt.
2. The site is on a derestricted part of the road and its use would be likely to be detrimental to the safety and free flow of traffic in the vicinity.

Dated..... 19th ..... day of..... February..... 19 63

*[Signature]*  
 Clerk/~~Secretary~~ 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.

JC

2008



MINISTRY OF HOUSING & LOCAL GOVERNMENT

Whitehall, LONDON, S.W.1

Telegrams: Locoplan, Parl, London

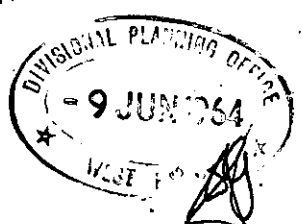
Telephone: VICTORIA 8540 , ext.

Please address any reply to

THE SECRETARY

and quote: APP/2142/A/71207

Your reference: RTH/PW



28 MAY 1964

Gentlemen,

Town and Country Planning Act 1962: Section 23  
Application No. W/2261/62  
Appeal by Mr. A. Lindley

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. R. St. Geo. Whelan, A.R.I.B.A., M.T.P.I., who held a local inquiry into your client's appeal against the refusal of Hemel Hempstead Rural District Council, acting on behalf of Hertfordshire County Council, to permit the erection of a garage and filling station on land fronting B.486, Piccotts End, Hemel Hempstead.
2. A copy of the Inspector's report is attached.
3. At the inquiry it was stated that in spite of the wording on the application and appeal forms, the appellant required only a petrol filling station on the land in question.
4. The Inspector finds that the site is on the east side of a road running westwards from Hemel Hempstead, in an area proposed as an extension of the Metropolitan Green Belt. He is, however, of the opinion that traffic and not green belt considerations are decisive in this case. The proposed filling station is intended to serve the needs of southbound motorists approaching Hemel Hempstead; but it would be the first one motorists travelling northwards from this town would see, and the Inspector considers that the consequent crossing and re-crossing of traffic lanes would create a hazard and be a likely cause of accidents. As there are no petrol filling stations on the appeal site side of the road for a distance of about 14 miles between Hemel Hempstead and Leighton Buzzard to the north, the Inspector thinks a position more likely to meet the needs of motorists travelling southwards towards Hemel Hempstead would be somewhere nearer the centre of this stretch of road, which would remove the likelihood of vehicles crossing traffic lanes. In the Inspector's view the need for a petrol filling station on the appeal site does not warrant setting aside the traffic objections. He recommends that the appeal be dismissed.
5. The Minister agrees with his Inspector's conclusions and accepts his recommendation. Accordingly he hereby dismisses your client's appeal.

I am, Gentlemen,  
Your obedient Servant,

(Signed) D. G. POMEROY

(D. G. POMEROY)  
Authorised by the Minister  
to sign in that behalf.

Messrs. Lovel Smeathman & Son  
Solicitors  
10 Queensway  
HEMEL HEMPSTEAD  
Herts.

COUNTY PLANNING OFFICE	
HERTFORD	
RECEIVED	
1 - JUN 1964	
ACRD	APD