Tim & Charlotte Cox. 8 Lys Hill Gdns

MOLEWOOD RESIDENTS' ASSOCIATION

NEWSLETTER

April 1982

THE AGM will be on Tuesday 4th May at 8.00 pm in the Parish Hall, Duncombe Road and will be followed by cheese and wine.
This year for various reasons a number of the Committee are not seeking re-election and so new Committee members are required. Please offer to help if you can. The work involves attendance at about 8 meetings during the year together with the collection of a number of subscriptions during the summer months.
Nomination forms will be distributed about 2 weeks before the AGM.

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OUTING TO THE BARBICAN CENTRE : SUNDAY 2nd MAY
for a concert to be given by the ENGLISH CHAMBER ORCHESTRA.

Programme: Overture 'The Marriage of Figaro'
Eine kleine Nachtmusik, K 525
Piano Concerto No 23, K 488
Symphony No 40, K 550

Tickets £5-20 including return transport by coach from outside the shops in the Avenue. Depart 5.50 pm, return about 10.45pm.
If you would like to come, please ring DAVID BLACK, Hertford 57285.

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PROPOSED OUTING TO 'THE SOUND OF MUSIC' FRIDAY 21st May
We have a provisional booking and will buy the tickets if enough people want to go. If you are interested please ring PAM LUTNER, Hertford 51329, as soon as possible.

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Attached to this newsletter is a copy of a letter giving details of the result of the inquiry into the Court Homes appeal.

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Please encourage children not to play ball games on the grass areas of the estate but to use the field behind The Wick.

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 36
APPEAL BY COURT HOMES LIMITED
APPLICATION NO 3/1016-80

1. I am directed by the Secretary of State for the Environment to say that consideration has been given to the report of the Inspector Mr. W A Greanoff, Dipl. Arch, RIBA who held a local inquiry into your clients' appeal against the decision of East Hertfordshire District Council, to refuse planning permission for residential development at part of Great Mole Wood, off High Molewood, Hertford, Hertfordshire. A copy of the report is enclosed.

2. The Inspector said in his conclusions:

"The metropolitan green belt in Hertfordshire is now expressed in the approved structure plan and its limits in this part of the county are defined in the emerging district plan. The policies seek to provide green wedges reaching into the town centre. The evidence is that the wedge of which the appeal site forms part is under pressure from various uses in the worked out gravel pit and contains a designated ORS where limited development may occur.

The difference between the lightly wooded gardens to houses in High Molewood contained within the ORS boundaries and well wooded adjoining and adjacent lands including the appeal site is clearly discernible. The appeal site is remote from the ORS lands and separated by tracts of woodland from other houses standing in large grounds that make their own contribution to the pleasantness of Great Mole Wood. It adjoins the gravel pit and relatively dense suburban development in Bengeo. In my opinion the proposals would extend Bengeo into Great Mole Wood and fragment the green wedge to the great loss of the character of the area.

A significent contribution to the area is made by Great Mole Wood forming as it does a backdrop to Hertford. In my opinion this contribution would be harmed by building up to 4 new houses and adding to the existing light scattering of buildings within the wood and the green wedge. The proposals would conflict with established policies restricting new developments to those essential to agricultural need or contribute to the amenity of the area.

The main threat to the safety of traffic on North Road feared by residents and the local planning authority is that from an increase in the number of vehicles using the existing access. Obviously there would be an increase dependent upon the number of dwellings built. There is no evidence from which I can conclude that one dwelling would bring the amount of traffic beyond the engineered capacity of the access but any greater number of dwellings certainly would. However, the appellants are able to make sufficient land available in the vicinity of the access to ensure compliance with all highway requirements. There is accordingly no reason why a properly designed and constructed access should not be provided to the appeal site but such an access would need to take in land outside of the appeal site.

All the site and the adjoining woodlands are covered by a Tree Preservation Order. This indicates the importance attached by the local planning authority to the contribution made by this wooded site to the amenity of the area. I agree with this view and consider it to be a factor in this case. Constructing between 1 and 4 houses would involve both demolition of trees on the sites of the houses and losses caused by construction work. Interference with light and air might lead to the removal of others. In my opinion the proposed development would significantly damage the attractive sylvan character of the area which makes a material contribution to the pleasantness of the area.

The appellants ask that a section 52 agreement be arrived at with the council over the number of dwellings on the site. I do not consider

that this is a matter that can be dealt with here because an agreement between 2 parties cannot be imposed from outside by a third.

It was argued by the council that approval of the appeal proposals would create a precedent. I have not taken this factor into account preferring to leave it for consideration by the Secretary of State."

The Inspector recommended that the appeal be dismissed.

3. The Secretary of State has noted the Inspector's conclusions. On the question of the number of dwellings on the site, he would have been prepared, had there been no planning objections to the proposal, either to impose a condition specifying the maximum number to be built, or to refer the matter back to the parties in advance of reaching his decision to see if a section 52 agreement could be satisfactorily concluded. He does not consider, therefore, that this would necessarily have been an impediment to giving permission. However, in this case, he accepts that the objections to the proposal as found by the Inspector are over-riding. Moreover, he considers that were the appeal to be allowed, there would be considerable pressure to develop other sites in the vicinity of the wood.

4. Subject to what is said above, the Secretary of State agrees with the Inspector's conclusions and accepts his recommendation. Therefore he hereby dismisses your clients' appeal.

I am Gentlemen
Your obedient Servant

MISS A GERRY
Authorised by the Secretary of State
to sign in that behalf