

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning Ref. No. 4/0040-89

Other Ref. No.

~~THE DISTRICT COUNCIL OF~~
~~THE COUNTY OF HERTFORD~~

To JMC Ltd
Rossway Drive
Bushey
Herts

... IMPORTATION OF INERT MATERIAL TO CREATE A SCREENING ...
... BUND WITH SUBSEQUENT TREE AND SHRUB PLANTING ...
at BOVINGDON AIRFIELD, BOVINGDON, HERTS.

Brief description and location of proposed development.

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 6th January 1989 and received with sufficient particulars on 10th March 1989 and shown on the plan(s) accompanying such application.

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

See attached Schedule of Reasons for Refusal numbered 1 - 3.

Dated 5th day of July 19 89

Signed T. J. Betts

Designation Head of Planning

NOTE

- (1) If the applicant wishes to have an explanation of the reasons for this decision 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 appeal to the Secretary of State for the Environment, in accordance with section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Whitehall, London, S.W.1.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain 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 statutory requirements, to the provisions 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 Secretary of State for the Environment 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 District Council in which the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

BOVINGDON AIRFIELD, BOVINGDON
APPLICATION FOR COMPLETION OF VISUAL SCREENING BUND
AROUND NORTH SIDE OF BOVINGDON PRISON USING IMPORTED
SPOIL MATERIAL AND TREE PLANTING
APPLICATION NO: 4/0040-89

REASONS FOR REFUSAL

1. The application is contrary to Structure Plan Policy 23 in that there is a general presumption against the tipping of waste materials on open land except where significant agricultural or drainage improvements or landscape enhancement will result.

The limited landscape enhancement offered by this proposal is not considered sufficient to override this policy.

2. The local planning authority are not convinced that there is a need for a screening bund for the northern side of the prison as there are no dwellings or other development in the vicinity whose views of the prison and airfield landscape would be affected.
3. The bund as proposed would conflict with the proposed line of the Bovingdon by-pass.

TJB