

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning

Ref. No. ....

4/0144/75.

Other

Ref. No. ....

226/75D

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To A.E. Willmer & Company,  
Corner Hall,  
Hemel Hempstead,  
Herts.

Agents: Fuller, Hall & Foulsham,  
53 Marlowes,  
Hemel Hempstead,  
Herts.

	New access road
at	Corner Hall, Hemel Hempstead.

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 12th February, 1975 and received with sufficient particulars on 13th February, 1975 and shown on the plan(s) accompanying such application.

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

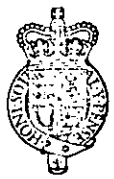
The proposal would result in unacceptable traffic conditions and be a potential danger by reason of additional turning traffic on a narrow section of highway near to a junction with a heavily trafficked road.

Dated 17th day of April 1975

Signed [Signature] Director of Technical Services. Designation

## 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.



Department of the Environment

Becket House Lambeth Palace Road London SE1 7ER

Telephone 01 928 7855 ext 431

226/75A

Messrs Fuller Hall and Foulsham  
53 Marlowes  
HEMEL HEMPSTEAD  
HP1 1LL

Your reference  
PRB/AJK/2344  
Our reference  
T/APP/5252/A/75/5576/G7  
Date

15 DEC 1975

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MESSRS A E WILLMER & COMPANY  
APPLICATION NO:- 4/0144/75

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the construction of a new access road for private cars only at Corner Hall, Hemel Hempstead, Herts.
2. I have considered the written representations made by you, the council and other interested persons and I inspected the site on Wednesday 29 October 1975. As a result I have come to the conclusion that the determining issue in this case is whether or not the proposal is likely to give rise to potential dangers to traffic using Corner Hall, or to an unacceptable interruption in the free flow of traffic on Lawn Lane.
3. I note that Corner Hall is a short section of road, lightly trafficked, which links Lawn Lane with Two Waters Road, which roads carry a moderate to heavy amount of traffic; Corner Hall is restricted to one-way traffic for part of its length near the junction with Lawn Lane. The one-way section of the road has a carriageway about 14 ft wide, and traffic passes in an east-west direction. It is from the one-way section of Corner Hall that your client proposes to take the access road, to be used only for ingress of private cars; egress from the premises would remain, as at present, via the gateway further to the west in Corner Hall.
4. As traffic in Corner Hall would not have to cross any other traffic lane while turning into the proposed access road, an adequate radius would be provided to enable cars to turn satisfactorily, adequate sight lines would be provided, and there would be no obstruction within the premises which might cause waiting cars to cause a traffic build up extending back into the highway, I do not consider that the ingress proposed would constitute a hazard to either pedestrians or vehicles using Corner Hall.
5. In considering the question of the traffic flow along Lawn Lane, I have borne in mind that the appeal premises are situated on the southern side of Hemel Hempstead, and the majority of cars requiring access to the premises will in all probability approach from the north. This will mean that the cars will have to cross the lane of the north-bound traffic either into Corner Hall, which will be used by other right-turning traffic, or into the present ingress to the premises about 150 ft to the south of Corner Hall. In my view, your clients' proposal would assist,

rather than interrupt, the free flow of traffic along Lawn Lane, as it would concentrate right-turning traffic upon one point, instead of some vehicles turning into Corner Hall and other cars turning into the present gateway. Moreover, I consider that it would eliminate a possible hazard that now exists when cars are prevented from entering the premises by commercial vehicles manoeuvring into the loading bay near the entrance; I observed that traffic approaching the premises from a southerly direction descends a hill and negotiates a fairly sharp bend, and vehicles waiting in the carriageway could be a hazard, particularly in poor weather conditions.

6. I have considered all the other matters raised in the written representations, but do not find them to be of sufficient weight to affect the considerations that have led me to these conclusions.

7. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the construction of a new access road for private cars only at Corner Hall, Hemel Hempstead, Herts in accordance with the terms of the application (No. 4/0144/75) dated 12 February 1975 and the plan submitted therewith, subject to the following conditions:

1. the development hereby permitted shall be begun not later than 5 years from the date of this letter;

2. the access road hereby permitted shall be used only by private motor cars for the purpose of ingress to the premises.

8. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971. Your attention is particularly drawn to the provisions of section 277A of the Town and Country Planning Act 1971, (inserted into the Act by the Town and Country Amenities Act 1974 which came into operation on 31 August 1974) which require consent to be obtained prior to the demolition of any buildings in a conservation area.

I am Gentlemen  
Your obedient Servant



P J ROBERTS FRICS  
Inspector