

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other Ref. No.

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To J. J. Curran Limited, Highlamb Farm, Campton, Shefford, Bedford.

Agents: J. R. Eve & Son, 1 Bedford Street, Ampthill, Bedfordshire MK45 2LU.

Glasshouses and storeshed
at Watling Street, Friars wash, Flamstead.

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 14th February 1977 and received with sufficient particulars on 15th February 1977 (complete 23.2.77.) and shown on the plan(s) accompanying such application.

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

The proposed development would increase the numbers of slowing and turning vehicles on a section of trunk road where speeds are high with consequent interference with traffic flows and safety at point close to a major road junction.

Dated 21st day of April 1977

Signed [Signature]
Designation Director of Technical Services

## 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**  
 Eastern Region  
 Charles House 375 Kensington High Street London W14 8QH  
 Telephone 01-603 3444 ext 146

Messrs J R Eve and Son  
 1 Bedford Street  
 Ampthill  
 Bedford  
 MK45 2LU

TECHNICAL SERVICES DEPT.	
PLANNING SECTION	
008527	
1608/78	16 FEB 1978
FILE No. 4/0201/77	DATE

Your reference  
 H28.AJG/MEH  
 Our reference  
 APP/5252/A/77/4511  
 Date  
 15 FEB 1978

Gentlemen

CHIEF EXECUTIVE  
 OFFICE  
 16 FEB 1978  
 File Ref. ....  
 B. for ...  
 C. rec. ...

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 36  
 APPEAL BY J J CURRAN LIMITED  
 APPLICATION NO.4/0201/77

- I am directed by the Secretary of State for the Environment to refer to your client's appeal against the decision of the Dacorum District Council to refuse planning permission for a proposed glass house and store shed at Watling Street, Friars Wash, Flamstead, St Albans, Herts.
- The written representations made in support of the appeal and those of the council have been considered. An officer of the Department has visited the site.
- The site adjoins the south side of Watling Street (A5) at Flamstead and is just west of slip road accesses to and from the M1 Motorway. Vehicular access to the site is obtained via a long, narrow track parallel to the main road; visibility along the trunk road from the access is generally good. The roadside boundary along the eastern length of the site, is a 3-rail wooden fence. Elsewhere, this boundary is marked by a screening hedge. Opposite part of the site is a pumping station and a pair of houses; elsewhere the site faces open agricultural land. Agricultural land also extends southwards from the site, while to the west is rough unused land and then a storage area.
- The local planning authority refused permission on the direction of the Regional Controller (Roads and Transport) who considers that the proposal would be likely to cause interference with the safety and free flow of traffic on the trunk road. The Regional Controller has drawn attention to the fact that the volume and speed of traffic on the trunk road is high; there is no provision for slowing or accelerating of vehicles wishing to turn left at the access when entering or leaving the site, and there is no reservation in the centre of the trunk road for those vehicles waiting to turn right. In these circumstances it is considered that any increase in the volume of traffic using the access would be likely to interfere with the free flow of traffic on the trunk road to the detriment of road safety. While no land use objection has been raised to the use of the site for horticultural purposes, the Secretary of State is satisfied that the proposed development would give rise to additional vehicular movements at the access to the trunk road and, in the interests of road safety, it has been decided that the Regional Controller's direction of refusal should be upheld.

5. Therefore the Secretary of State hereby dismisses your client's appeal.

I am Gentlemen  
Your obedient Servant

A R FULLER

Authorised by the Secretary of State  
to sign in that behalf