

C/439/CEP/P



# Department of the Environment and Department of Transport

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JONES	
3/1/83	
JONES	
4/1/83	
Admin.	File

16 MAY 1983

Comments

Your reference

VHST/VC/PH.94

Our reference

T/APP/5252/A/82/12708/PH3

Date

13 MAY 1983

Messrs Breeze and Wyles  
Solicitors  
37 Bullsmoor Lane  
ENFIELD  
Middlesex  
EN3 6TF

16 MAY 1983

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MR J HANLON  
APPLICATION NO:- 4/0348/82

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse outline planning permission for the erection of a 2-storey transporters guest house/hotel on land at Watling Street, Flamstead. I have considered the written representations made by you and by the council and Flamstead Parish Council and also those made by other interested persons. I inspected the site on Tuesday 22 March 1983.

2. The Dacorum District Plan defines the extent of the Metropolitan Green Belt, approved with the County Structure Plan, to include the appeal site and surrounding land. I see no reason to question the inclusion of this area in the Green Belt, and from my inspection of the site and surroundings and the representations made, I am of the opinion that the decision in this case is primarily dependent upon whether there are exceptional circumstances sufficient to justify the acceptance of the proposal, despite the presumption against new building implicit in the Green Belt policy,

3. In its location beside Watling Street close to the entry and exit roads for both north and southbound traffic on M1, the site is strategically placed to serve heavy haulage traffic. The site is low-lying and in a roadside area already marred by development which includes a plant and machinery depot with caravans, sheds, sheeted machinery and a bungalow or mobile home adjoining the approach track to the main site area, an agricultural depot with machines and fuel tanks in the open, a 2-storey office block and large storage buildings, adjoining to the north-west, a sprawling filling station and transport cafe and lorry parking area on land east of the junction of Old Watling Street, and an industrial building and a public house fronting the north side of Watling Street (signed A5) west of the junction. The main development of Flamstead village is at a distance beyond rising farmland to the west and south-west, and the Friars Wash Pumping Station stands on low-lying land north-east of the appeal site and Watling Street. There are relatively few dwellings in the vicinity of the site: these include a pair of semi-detached houses north of the pumping station, Chequers Cottage opposite the filling station, and cottages on the rising ground beside the narrow Chequers Hill approach to Flamstead. The site appears to have been long-disused, save for the storage of tree trunks, a number of which lie rotting on the land.

4. The need for the proposal is not assessed in detail, by reference to a survey of existing accommodation facilities available to long distance transport, and

I have no knowledge of the extent to which information of that nature might reasonably be obtained. However, I have no reason to doubt the broad reasoning in respect of the appeal site and its relationship to the major road network, and the limits upon driving times for drivers of heavy goods vehicles, which leads your clients and their advisers to conclude that there is an unsatisfied need which could and should be met on this readily accessible land, where the impact of the use upon the surrounding area would be at an acceptable minimum. To my mind, the need appears to be distinctly probable, while there is no convincing evidence to suggest that it is, or is likely to be, met elsewhere, and the site and its location are as close to the ideal as I would expect to be available.

5. The proposal would not, in my opinion, involve a material loss to agriculture, and I consider it unlikely that an alternative site could be found in the area north of London, where its impact upon the landscape and surrounding land uses would be less damaging. I conclude that the need for overnight accommodation in connection with long distance heavy transport, the ready accessibility of the site to M1, and the relatively light impact of the proposal upon the landscape and neighbouring land uses, together constitute exceptional circumstances justifying the grant of outline planning permission for the proposed development in this part of the Metropolitan Green Belt.

6. I have considered the other points raised in the representations. I take the Structure Plan policy of encouraging the establishment and provision of facilities for parking and servicing of lorries and rest and refreshment for drivers, in relation to lorry routes to support my conclusion. I note that the local planning authority are not satisfied that the arrangements for off-street vehicle parking would be sufficient, but I take that and the size and capacity of the overnight accommodation for drivers to be matters for consideration in connection with later detailed submissions, and I find these and the other points of insufficient weight to affect my decision.

7. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the construction of a 2-storey transporters guest house/hotel on land at Watling Street, Flamstead in accordance with the terms of the application (No 4/0348/82) dated 26 March 1982 and the plans submitted therewith, subject to the following conditions:-

1.
  - a. approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter referred to as 'the reserved matters') shall be obtained from the local planning authority;
  - b. application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this letter;
2. the development hereby permitted shall be begun on or before whichever is the later of the following dates:
  - a. 5 years from the date of this letter; or
  - b. the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter approved.

8. Attention is drawn to the fact that an applicant for any consent, agreement or approval required by a condition of this permission and for approval of the reserved matters referred to in this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

9. The developer's attention is also drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970.

10. 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.

I am Gentlemen  
Your obedient Servant

A handwritten signature in cursive script, appearing to read 'R. Woodford', with a horizontal line extending from the end of the signature.

R WOODFORD DipTP MRTPI  
Inspector

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