

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

Mr. W. J. Twitchell,
To Whitehill Wood,
Flamstead,
Herts.

Agents: Derek Gwynne & Co.,
5, Nursery Parade,
Marsh Road,
Luton,
Beds.

100 Bedroom Motel

at Whitehill Wood, 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
2nd June, 1975 and received with sufficient particulars on
3rd June, 1975 and shown on the plan(s) accompanying such application.

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

1. The site is within an area without notation on the County Development Plan, where it is intended to permit only such development as would be appropriate in the neighbouring Metropolitan Green Belt. In the approved Green Belt it is intended to permit development only if it is required for agricultural or other essential local purposes. No such need is apparent in this case.
2. The provision of short and long stay hotel accommodation in the locality, both existing and proposed, is adequate to meet demands in the foreseeable future.
3. The proposed development would have a detrimental effect on the rural character of its surroundings.

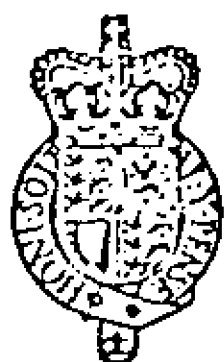
Dated 4th day of September 19 75 ..

Signed

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 4620 ext 143
3444

LEGAL & ADMIN.
RECEIVED
10 MAY 1976
DEPARTMENT

Messrs Derek Gwynne and Co
5 Nursery Parade
Marsh Road
LUTON
Bedfordshire
LU3 2QP

Your reference DWG/MRS

Our reference APP/5252/A/75/8748
APP/5256/A/74/7805

Date

- 7 MAY 1976

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 36

APPEALS BY MR W J TWITCHELL

APPLICATION NOS. 4/0519/75 & ~~5/324/74~~

832-75D.

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 G M Jefferis TD FRTPI who held a local inquiry into your client's appeals against the decisions of (i) the Dacorum District Council and (ii) the St Albans District Council to refuse planning permission for the erection of a 100 bedroomed motel on land at Whitehead Wood, Flamstead. A copy of the report is enclosed.

2. The Inspector said in his conclusions:-

"Due to its proximity to the intersection of 2 important national traffic routes (the M1 and A5) and its accessibility to areas of local and tourist attraction, the appeal site is an obvious choice for the erection of a motel on commercial grounds. Moreover, its development in this way might provide a useful facility to the seasonal activities on the adjacent show ground of the Hertfordshire Agricultural Society.

However, on planning grounds the proposal has less merit as the site lies in a rural but somewhat restricted wedge of open country between the motorway and Redbourne in which relatively few commercial activities are to be seen. The appeal site with its buildings grouped in a pleasant wooded setting, add interest to the landscape when viewed from the motorway and from vantage points along the A5 so that in its existing state it contributes to the quality of the area, despite the buildings themselves being of no special architectural significance. A motel with extensive parking facilities on the site would be an intrusive feature, however well landscaped and designed, and to this extent the rural appearance of the area would be spoilt.

For this reason, it is necessary to consider whether the demand for additional hotel accommodation in the area is such that it would be in the public interest to provide a motel on the site, having regard to the policy of the planning authority in applying Green Belt restrictions as a basis for development control over the area affected by their extension proposals. The appellant failed to convince me that there is any overriding demand which would justify

major development, such as that proposed on this relatively rural site; on the contrary, the closure of a nearby hotel opened as recently as 1973 and the apparent absence of interest in the appeal site by the hotel trade indicates that there is little or no demand at present.

Whilst I accept that there is a strong likelihood that agreement could be reached with the Hertfordshire Agricultural Society over the means of vehicular access necessary to comply with the conditions imposed by the Regional Controller (Roads and Transportation), these arrangements involve engineering works on land which is not under the control of the appellant. I therefore agree with the Council that a conditional permission would not be appropriate in these circumstances."

The Inspector recommended that the appeals be dismissed. 11

3. The Secretary of State sees no reason to disagree with the Inspector's conclusions and accepts his recommendation. Therefore he hereby dismisses both of your client's appeals.

I am Gentlemen
Your obedient Servant

K W BEARE

Authorised by the Secretary of State
to sign in that behalf