

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.~~THE DISTRICT COUNCIL OF~~~~IN~~ THE COUNTY OF HERTFORD

To Trustees of the Estate of J Capaldi
c/o Wastecare (GB) Ltd
Unit 1, Titmore Green Farm
Titmore Green
Nr Stevenage
Herts SG4 7JT

APPLICATION FOR WASTE RECYCLING AND TRANSFER STATION

at BOVINGDON AIRFIELD, BOVINGDON.

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 23rd March 1992 and received with sufficient particulars on 10th June 1992 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 numbered 1 - 6.

Dated 5th day of November 1992

Signed T. J. Betts

Designation HEAD OF RESTORATION, MINERAL
WASTE 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 ~~Town and 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
Tollgate House
Houlton Street
Bristol
BS2 2DJ

SCHEDULE OF REASONS NUMBERED 1-7 ATTACHED TO REFUSAL OF
PERMISSION FOR WASTE RECYCLING AND TRANSFER STATION AT
BOVINGDON AIRFIELD, BOVINGDON, APPLICATION NUMBER 4/0601-92(426)

1. The site is within the Green Belt, and not within a settlement; wherein Policy 1 of the Hertfordshire County Structure Plan Review Incorporating Approved Alterations 1991 provides that permission will not be granted except for very special circumstances or for purposes of mineral extraction, agriculture, small scale facilities for participation sport and recreation or other uses appropriate to a rural area, or the use of certain large residential buildings and is not for housing and employment needs of agriculture, forestry, leisure and local services or facilities.
2. The Proposal is contrary to the provisions of Policy 23A as the site is not located close to an urban area and the main highway or rail network and the development would lead to an increase in traffic levels detrimental to the highway network. The site is not located at a suitable strategic point when considering the local needs for such a facility.
3. The proposed access is unacceptable as it is too close to the bend in County road B4505 Chesham Road and the Leyhill junction.
4. The proposal would also increase the number of HGV vehicles using B4505 Chesham Road.
5. The operation of the site would be detrimental to the amenities of the locality especially Bovington Prison and the associated residential area by reason of noise and dust.
6. The proposal would by drainage of the site to a surface soakaway be unacceptable as it may cause the pollution of the water environment.

—703

5 November 1992