

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To B J Howe Esq
43 Leys Hill
Chislehurst
Kent

A E King Esq
4 Isenburg Way
Grovehill
Hemel Hempstead

..... Change of use to nursery and garden centre

.....

at ... Land opposite the "Waggon and Horses" P.H.

..... Watling Street, 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 12th July 1982 and received with sufficient particulars on 14th July 1982 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 Approved County Development Plan and in an area referred to as being within the extension of the Metropolitan Green Belt in the Approved County Structure Plan (1979) and the Dacorum District Plan, wherein permission will only be given for use of land, the construction of new buildings, changes of use or extension of existing buildings for agricultural or other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. No such need has been proven and the proposed development is unacceptable in the terms of this policy
2. The Dacorum District Plan shows the site to be within an Agricultural Priority Area, wherein the policies of the local planning authority work to conserve the character of the countryside and encourage agriculture by the restriction of further development. The proposed development for this site is unacceptable in the terms of these policies.

Continued.../

Dated 9th day of September 19 82 ...

Signed.....

Chief Planning Officer

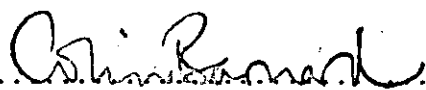
NOTE

- (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, Tollgate House, Houlton Street, Bristol, BS2 9DJ). 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.

4/0870/82
(Continued)

3. The proposed development would induce a large number of vehicles to leave and rejoin the trunk road traffic stream.
4. Passing drivers would have their attention distracted by the development and sudden stops would be a consequent danger to other traffic.
5. The construction of an access on an otherwise open frontage would be contrary to Development Control Policy Note number 6, which states that "On Trunk and principal roads outside urban areas there is a general presumption on traffic grounds against any development involving new accesses or increased use of existing accesses to these roads".

Dated.....9th.....day of.....September.....1982

Signed..........

Designation..Chief Planning Officer..