

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF **DACORUM**

IN THE COUNTY OF HERTFORD

To **Sunderland (Herts.) Hauliers,**
Church Lane,
KINGS LANGLEY,
Herts.

Messrs. Murray, Ward & Partners,
1 Heddon Street,
LONDON,
W.1.

..... **Erection of Warehouse, garages and workshops (OUTLINE)**

.....
 at **Sunderlands Yard, Church Lane, Kings Langley.**

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 July, 1978,** and received with sufficient particulars on **17th July, 1978,** 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 the Metropolitan Green Belt as defined in the County Development Plan and is similarly defined in Hertfordshire 1981 Planning Objectives and Policies where it is the policy of the Local Planning Authorities not to permit development unless it is essential for agriculture or other genuine Green Belt purposes, or unless there is some quite outstanding reason why permission should be granted. No such need or special circumstances are apparent in this case. Furthermore, the proposed development does not comply with Policy 2 of the submitted County Structure Plan Written Statement in which it is the Local Planning Authorities' policy to retain a green belt extending over the whole of the rural county where in there is a general presumption against development which will only be accepted whether for the construction of new buildings or the change of use or extension of existing buildings, when the development is essential in connection with agriculture or clearly needed for recreation or other use appropriate to the rural area concerned.

/(Continued on separate sheet)....

TOWN AND COUNTRY PLANNING ACTS 1971 and 1972

Erection of Warehouses, garages and workshops,
at Sunderlands Yard, Church Lane, Kings Langley.

Reasons for REFUSAL continued:-

2. The proposed development conflicts with the provisions of Policy 8 of the submitted County Structure Plan Written Statement which states, inter alia, that warehouse development will only be permitted on land committed primarily for industrial purposes at January 1st, 1976. The application site is not so committed. Notwithstanding this, Policy 8 provides that in order to limit the future growth of warehousing, regional warehouses and depots will be resisted, unless it can be proved to the Local Planning Authorities that they must be located in the County while those warehouses which predominantly distribute goods within Hertfordshire will be considered on their individual merits. In this instance, insufficient evidence has been provided to establish conclusively that the type of warehouse use proposed accords with these provisions.

3. The proposed development would be likely to generate additional traffic and further overload the existing inadequate junctions with the A.41 trunk road to the detriment of the free flow and safety of trunk road traffic.

4. The proposed development would affect adversely the amenities and character of the area generally and at present enjoyed by the occupants of residential properties within the near vicinity in particular.

Dated 24th August, 1978.


Signed.....

Designation: Director of Technical Services



Department of the Environment

Eastern Region

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Messrs Murray Ward & Partners
1 Haddon Street
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21 MAR 1979

Your reference

691/GHM/rb

Our reference

APP/5252/A/78/08825

Date

20 MAR 1979

4/0919/78

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 36
APPEAL BY MESSRS SUNDERLAND (HERTS) HAULIERS LTD
APPLICATION NO. 4/0919/78

1. I am directed by the Secretary of State for the Environment to refer to your clients' appeal against the decision of the Dacorum District Council to refuse planning permission for the erection of warehouses, garages and workshops at Sunderland's Yard, Church Lane, Kings Langley, Hertfordshire.
2. The written representations made in support of the appeal together with those of the council, Regional Controller (Roads & Transportation) Eastern Region and other interested parties have been considered. An officer of the Department has visited the site.
3. The irregular shaped appeal site consisting of some 1.28 ha of land is situated to the south of Church Lane on the eastern side of Kings Langley, a village some 12 km south east of Berkhamstead and 7 km north west of Watford. The site, which has frontages of some 50m to Church Lane and some 17m to Alexandra Road is about 240m long and varies in width from about 30m to 90m. On the eastern side of the northern part of the site are four brick buildings with pitched asbestos roofs, three are used as warehouses for paper, packing materials and food and the fourth for the sale of carpets. A similar building on the west side of the entrance to Church Lane is used as a food warehouse and offices. On the northern side of the Alexandra Road frontage is a building used as offices, stores and toilets with another building to the east in use for the repair of commercial vehicles. The whole of the centre part of the site is open and used as a transport hauliers depot. The appeal site is bounded on the north by Church Lane with residential development beyond; the east by the River Gade, allotment gardens and a large factory beyond the Grand Union Canal; to the south by an area of land being excavated to form a trout lake and to the west by the rear gardens of the houses fronting Alexandra Road. Access to the site is from Church Lane which has a carriageway some 6m wide, with footpaths of 1.5m on each side, street lighting and is subject to a 30 mph speed limit. Church Lane joins the eastern side of the A.41 trunk road some 300m from the appeal site at a junction which is well below the recommended standards.
4. It is noted that the appeal site comes within the Metropolitan Green Belt on the approved County Development Plan and is similarly shown in the non statutory document Hertfordshire 1981 and in the submitted Structure Plan, where it is the accepted policy that within the green belt new development will only be permitted in very special circumstances.

5. While it is appreciated that your clients have established use rights for part of the appeal site and the whole of the site is shown on the non statutory Village Plan as being in commercial use, it is considered that this use is a non conforming one in a residential and recreational area and furthermore is not one that is acceptable in the green belt. It is considered therefore, that if the proposed development were to be allowed it would not only consolidate this non conforming use but would lead to an intensification of the use of the site which would be both detrimental to the amenities of the area and contrary to green belt policy. Furthermore the proposed buildings would, as a permanent feature, be visible from Alexandra Road and the open land to the east and south and appear as an intrusion in the landscape.

6. It is also noted that it is the aim of the local planning authority to restrain further industrial and commercial development in the area and that this policy will only be relaxed if it is shown that the proposed warehouses are to be used for the local distribution of goods. No conclusive evidence has been advanced to show that the use of the proposed warehouses conforms with this policy.

7. While there is no reason to doubt your clients' statement that the proposed development would probably result in a reduction in the total volume of traffic attracted to the site, the view is taken that no guarantee can be given that this will be so, and it is considered that traffic attracted to the site by the warehouse development would have an adverse effect on the free flow and safety of the traffic using the already overloaded trunk road. This would be particularly so at the Church Lane/A41 junction which is substandard and where the stopping, slowing and turning movements of vehicles add to highway hazards.

8. All the arguments submitted in support of your clients' appeal have been carefully considered but it is concluded that none outweigh the overriding planning objections mentioned above. .

9. Therefore the Secretary of State hereby dismisses your clients' appeal.

I am Gentlemen
Your obedient Servant

D A WARREN
Authorised by the Secretary of State
to sign in that behalf