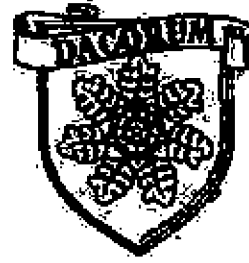


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

DD

To Mr C J Archer
Westwick Farm
Westwick Row
Leverstock Green
Hemel Hempstead
Herts

Messrs Faulkners
49 High Street
Kings Langley
Herts

Use of Premises for HGV Operating Base

at Westwick Farm, Westwick Row, Hemel Hempstead, Herts

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 dated11.10.88..... and received with sufficient particulars on13.10.88..... 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 on the adopted Dacorum District Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use 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 increased traffic likely to be generated by the proposed development would be a potential hazard on adjacent highways which because of inadequate width and construction are unsuitable for such additional traffic.

Dated First day of December 19 88

Signed.....

Chief Planning Officer

SEE NOTES OVERLEAF

P/D. 15

NOTE

1. 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 s.36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form 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.
2. 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 Borough 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.
3. 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 s.169 of the Town and Country Planning Act 1971.

1 DEC 1988

4/1906/88. USE OF PREMISES FOR HGV OPERATING BASE.
WESTWICK FARM, WESTWICK ROW, HEMEL HEMPSTEAD.
APPLICANT: C J ARCHER

DESCRIPTION - The applicant wishes to use an area of land in front of the existing farm buildings as an operating base for up to 5 Class 3 heavy goods vehicles. The site is fairly well screened by a hedgerow on the site frontage and by the adjoining farm buildings.

POLICIES

Hertfordshire County Structure Plan 1986 Review

Policy 1

Dacorum District Plan

Metropolitan Green Belt; Policy 1

REPRESENTATIONS

Director of Technical Services

(Highways)

Comments awaited

CONSIDERATIONS - This application is basically the same as that which was refused planning permission on this site in May 1988. The applicant has written in support of the application that he would be prepared to accept a personal permission in order that the business is satisfactorily controlled and does not intensify in use. However, this measure cannot overcome the basic problem that the surrounding road network is inadequate to cope with heavy goods vehicles. Furthermore, the site remains within the Green Belt and the proposed use is at variance with Green Belt objectives. It is recommended, therefore, that the application be refused for the same reasons as before.

RECOMMENDATION - That planning permission be REFUSED (on form DC4) for the following reasons:

1. The site is within the Metropolitan Green Belt on the adopted Dacorum District Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use 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 increased traffic likely to be generated by the proposed development would be a potential hazard on adjacent highways which because of inadequate width and construction are unsuitable for such additional traffic.