

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning Ref. No. 7/768-80.

Other Ref. No.

THE DISTRICT COUNCIL OF Brexbourne

IN THE COUNTY OF HERTFORD

To C.G. Ebbard (Goffs Oak) Ltd., Cuffley Hill, Goffs Oak, Chestnut, Herts.

Restoration of gravel pit, construction of earth embankment, use of part of land for soil manufacture & processing at Gravel Pit, Church Lane, Moxley.

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 26th June 1980, and received with sufficient particulars on 28th July 1980, 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 located within an area subject to Green Belt policies as defined in the approved County Structure Plan. The precise boundaries of the areas to which the Metropolitan Green Belt will apply will be defined within the Brexbourne District Plan. In the interim period, until the publication of this document however, the Council has resolved to apply Green Belt policies to all parts of the district outside the urban areas, as defined in 'Hertfordshire 1981'. Within the Green Belt permission will not be given except in very special circumstances for the construction of new buildings or for the change of use or extension of existing buildings for purposes other than agriculture, small scale facilities for participatory sport and recreation or other uses appropriate to a rural area.

No such agricultural need or other exceptional circumstances as defined are apparent in this case.

Dated 9th September 1980. cont

Signed

## 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.

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C.G. Edward (Goffs Oak) Ltd.,  
7/768-80.

2. Special attention is paid by the Local Planning Authority to the effect such development will have on Areas of Great Landscape Value and it is considered that the continuation of these activities would have a significantly detrimental effect on the visual qualities of the area.
3. The proposal by reason of additional vehicular traffic would be likely to give rise to conditions prejudicial to the free and safe flow of traffic along the roads in the vicinity of the site, and in particular to pedestrians using Church Lane, furthermore, the traffic movements would have an adverse environmental effect on the neighbourhood.
4. The site access, which is situated on a bend, has reduced visibility which would give rise to conditions prejudicial to the free and safe flow of traffic along the adjoining highway.

