

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning Ref. No. 4/0083/82

Other Ref. No.

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To J. Rance Esq.,
Crosslea,
The Nap,
Kings Langley, Herts.

Two storey rear extension.
at Crosslea,
The Nap, 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 26th January 1982 and received with sufficient particulars on 27th January 1982 and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:-

The proposed development would have a seriously detrimental effect on amenities and privacy at present enjoyed by occupants of adjacent dwellings.

Dated 29th day of March 1982

Signed [Signature]
Designation 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, 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 and
Department of Transport
Common Services
Room 1422 Tollgate House Houlton Street Bristol
Telex 449321

Direct line 0272 218921
Switchboard 0272 218911

PLANNING DEPARTMENT DACORUM DISTRICT COUNCIL					
Ref.				Ack.	
C.P.O.	D.P.	D.C.	B.C.	Admin.	File
Received ES2 9DJ 0272 218921				11 NOV 1982	
Comments				JMB	
Your reference				2) FW	
Our reference				T/APP/5252/A/82/7999/G3	
Date				- 9 NOV 1982 JEB	

Mr J Rance
Cross-Lea
The Nap
KINGS LANGLEY
Herts

CHIEF EXECUTIVE

10 NOV 1982

Cleared

Your reference

Our reference

T/APP/5252/A/82/7999/G3

Date

- 9 NOV 1982 JEB

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO:- 4/0083/82

1. I refer to your appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for a single-storey extension, internal alterations and construction of rooms in the roof space of your house. I have considered the written representations made by you the Council and the Parish Council. I inspected the site on 12 October 1982.

2. From my inspection of the site and its surroundings, and my consideration of the written representations, it seems to me that the main issue to be resolved in this case is whether or not the additional dormer windows that you propose would result in a serious loss of privacy or amenity as far as neighbouring residents are concerned. The internal alterations proposed to the existing house would not appear to require planning permission.

3. Your house is at a lower level than the houses fronting Hempstead Road. You have bought a piece of land at the rear of 4 Hempstead Road, adjoining your house. I noticed that there are timber panel fences about 2 m high along the west and south boundaries of that land. You have planted some conifers against the west boundary fence. There are tall trees some 10 m high on the north boundary of that land and a dense privet hedge about 2.5 m high along the west boundary of your garden with the rear garden of 6 Hempstead Road.

4. In my opinion it would be difficult to see clearly from the proposed west dormer window of your house into the rear gardens of the houses in Hempstead Road, even during the winter months. I think it unlikely that anyone using those gardens would be seriously disturbed by any possible overlooking from that window. There is also a substantial distance between your house and the rear walls of the Hempstead Road houses. That distance seems to me similar to the spacing quite usually regarded as acceptable between the backs of 2-storey houses. I do not consider that the occupiers of those houses should suffer from any undue loss of privacy from the construction of the proposed dormer window on the west side of your house.

5. On the east side of your house there is a builders' suppliers' business and yard. The upper part of the shop at the front appears to be used as a dwelling. There are some windows on the side facing your house at the upper level but they are either fitted with obscured glass or covered with net curtains. The main windows on that floor seem to look out towards the north and south. The east dormer window that you propose should not to my mind result in any serious loss of amenity or privacy as far as the occupiers of that dwelling are concerned. The property further to the east seems completely screened from your house by the buildings in the adjoining yard.

RETURN TO MB
FOR COMMITTEE
REPORT

4) TEAM 1

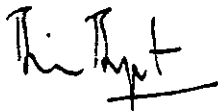
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6. I have concluded that your proposals are unlikely to result in an undue reduction in the amount of privacy or amenity that are enjoyed by neighbouring residents. I have taken account of all the other matters raised in the written representations, including the extent of the work already carried out at your house as development permitted under the general development order. However those matters are outweighed in my opinion by the considerations which have led to my decision.

7. For the above reasons, and in exercise of powers transferred to me, I hereby allow your appeal and grant planning permission for a single-storey extension and construction of rooms in the roof space of Cross-Lea, The Nap, Kings Langley, Herts in accordance with the terms of the application No 4/0083/82 dated 26 January 1982 and the plans submitted therewith, subject to the condition that the development hereby permitted shall be begun not later than 5 years from the date of this permission.

8. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971.

I am Sir
Your obedient Servant



B D BAGOT BA(Arch) MCP RIBA MRTPI FRSA