

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

SG



DACORUM BOROUGH COUNCIL

To Mr N Wingrove
19 The Glen
Hemel Hempstead
Herts

Woodstock Langley
The Octagon
2 St Peters Road
London WE 9ED

..... Conversion of dwelling to form two flats
.....
at 19 The Glen, Hemel Hempstead

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 23 January 1990 and received with sufficient particulars on 26 January 1990 and shown on the plan(s) accompanying such application.

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

1. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.
2. Based on the information submitted with the application, the local planning authority is not satisfied that this dwelling is capable of satisfactory conversion into two flats.

Dated 5th day of April 1990

Signed *Wm Barnard*

Chief Planning Officer

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 the date 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.



Planning Inspectorate

Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ
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PLANNING DEPARTMENT						
DACORUM BOROUGH COUNCIL						
Ref.				Ack.		
Q.P.O.	T.O.P.I.	D.P.	D.C.	B.C.	Admin.	File
Received				7 SEP 1990		Date
Comments						

Your reference

Our reference

T/APP/A1910/A/90/157858/P8

6 SEP 90

Mr N J Wingrove
 19 The Glen
 Grove Hill
 HEMEL HEMPSTEAD
 Hertfordshire
 HP2 6EL

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
 APPLICATION NO: 4/0107/90

- I have been appointed by the Secretary of State for the Environment to determine your appeal. Your appeal is against the decision of the Dacorum Borough Council to refuse planning permission for the conversion of No 19 The Glen, Grove Hill, Hemel Hempstead, into 2 dwelling units. I have considered the written representations made by you and by the Council. I inspected the site on 20 August 1990.
- From my consideration of all the representations made and from my inspection of the site, it appears to me that the main issue in your appeal is whether the amount of off-street car parking available would be sufficient to serve 2 dwelling units without resulting in additional roadside congestion and inconvenience for other residents.
- Your property is a modern 3-storey house, which is located within a terrace of 11 similar town houses. These are sited on one side of a cul-de-sac, which incorporates a hammer-head turning area to facilitate manoeuvring. Your house has previously been extended, with the result that it has lost its original integral garaging and has a reduced forecourt in front sufficient to accommodate 2 small cars but not deep enough for the majority of modern family saloons. Your appeal proposal is to convert the house into 2 flats, the plans indicating that there would be a flat on the ground floor, presumably a one-bedroomed unit, and a maisonette on the upper 2 floors, presumably 2-bedroomed. You suggested that, in addition to the 2 car parking spaces at the front, another vehicle could make use of part of the cul-de-sac turning area.
- Under the adopted Local Plan which is now somewhat dated these 2 flats would generate a minimum on-site car parking requirement of 3 spaces. However, it has been found necessary by the Council to reconsider their parking standards in the light of more recent developments and information, and their revised standards intended to be incorporated into the Local Plan review would require a minimum of 4 spaces. Bearing in mind the increasing level of car ownership, it seems to me that the figure based on the more recent guidelines would be the better approach.
- It would clearly be improper to include in the calculation of parking availability for your house the possibility of parking in the cul-de-sac turning area. That is provided for public use, particularly for manoeuvring by service and visiting vehicles, and parking within it should be firmly discouraged, particularly since I saw on the occasion of my visit that parking was already encroaching into

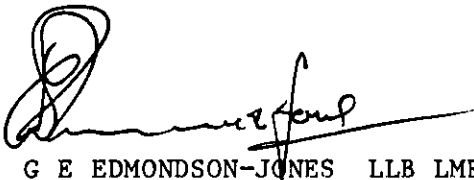
this turning area and the similar one at the end of the adjoining cul-de-sac. If this external parking is excluded, it means that with only 2 spaces available within your front forecourt the provision would not even come up to the figure calculated on the older standards of the Local Plan, much less that calculated on the more recent guidelines.

6. There is no doubt in my mind that the car parking available on the site would be inadequate to serve 2 dwelling units. It would inevitably mean that there would be increased roadside parking, in an area which is densely built-up and where off-street parking is severely limited. If such a conversion were allowed in this cul-de-sac and it were then repeated, it could result in a choking level of roadside congestion, with resulting inconvenience and possible danger for road users, particularly pedestrians.

7. I have therefore decided that your appeal should be dismissed because of the clear inadequacy of parking for 2 separate dwelling units. I have taken into account all the other representations made, but in my opinion none is of sufficient weight to affect my conclusions. In particular, I have noted your reference to another property elsewhere on the estate where permission was granted for it to be converted into flats. However, it is not for me to assess the merits of any other decision but only to deal with your appeal on its own particular merits, which is what I have done.

8. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss your appeal.

I am Sir
Your obedient Servant



G E EDMONDSON-JONES LLB LMRTPI Solicitor
Inspector