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- 1) ~~Y/Randall~~
- 2) ~~T Woodcock~~
- 3) ~~T...~~

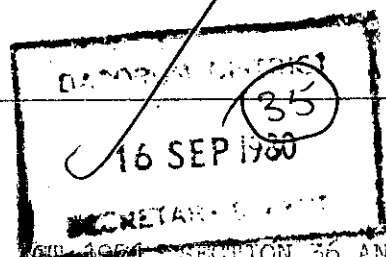
Return to Mr Randall

Collett Design Associates Ltd  
17 Collett Road  
HEMEL HEMPSTEAD  
Hertfordshire

Your reference for reporting to next office

Our reference T/APP/5252/A/80/04559/G5

Date



TECHNICAL SERVICES DEPT.	
PLANNING SECTION	
<i>J</i>	10 OCT 1980
FILE No.	DATE

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1974, SECTION 36 AND SCHEDULE 9  
APPEAL BY MR W MOORE  
APPLICATION NO:- 4/0147/80

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the erection of a single garage at the front of the house on land at 14 Roughdown Avenue, Hemel Hempstead, Herts. I have considered the written representations made by you and by the council and also those made by interested persons. I inspected the site on 12 August 1980.
2. From my inspection of the site and its surroundings, and from the representations made, I am of the opinion that the main issue in this case is whether the proposal would materially harm the character and visual amenity of the area.
3. I observed that the houses towards the eastern end of Roughdown Avenue were constructed on a fairly uniform building line behind small front gardens containing few shrubs and having a generally open appearance. Whilst I recognise that great care has been taken in the design and proposed siting of the flat roofed garage it would undoubtedly be most conspicuous, and in my view quite incongruous, in this open setting. I accept that due to its unmetalled surface and poorly defined margins Roughdown Avenue is not a tidy road, but it is my opinion that the proposed garage would, unfortunately, further erode the visual amenities and character of the area.
4. On the other hand I found the garages at Nos 29 and 31 Roughdown Avenue to be so well screened by trees and shrubs that their existence became apparent only at close quarters with the result that these garages had only a very limited visual impact on their surroundings. I appreciate your client's need for a garage and his desire to build one within the curtilage of his own property but although these circumstances merit special consideration they do not in my view justify setting aside the foregoing planning objections.
5. I have taken into account all the other matters raised in the representations but I am of the opinion that they are insufficient to outweigh the considerations that have led me to my decision.
6. For the above reasons, and in exercise of the powers transferred to me, I hereby **dismiss** this appeal.

I am Gentlemen  
Your obedient Servant

B H SMITH DipTP MRIPFI  
Inspector



TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other Ref. No.

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To W. Moore Esq.,
14 Roughdown Avenue,
Hemel Hempstead,
Herts.

Messrs. Collett Design Associates Ltd.,
17 Collett Road,
Hemel Hempstead,
Herts.

Garage.
at 14 Roughdown Avenue,
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 30th January 1980 and received with sufficient particulars on 30th January 1980 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 be out of character with adjacent residential development and would create an incongruous and unsightly form of development which would adversely affect the character and the visual amenity of the area.

Dated 7th day of March 19 80

Signed [Signature]

Designation Director of Technical Services

## 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.