

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To

A. N. J. Stuart Esq.,
69 Crabtree Lane,
Henel Hempstead,
Herts.

Erection of prefabricated garage,
at 69 Crabtree Lane,
Henel Hempstead.

Brief
description
and location
of proposed
development.

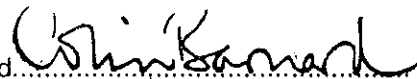
In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 26th February 1981 and received with sufficient particulars on 27th February 1981 and shown on the plan(s) accompanying such application.

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

The proposed prefabricated garage in this prominent open position would, by virtue of its appearance, have a seriously detrimental effect on the visual amenities of the street scene.

Dated 10th day of April 19 81

Signed



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

Room 1411

Tollgate House Houlton Street Bristol BS2 9DU

Telex 449321

PLANNING DEPARTMENT DACORUM DISTRICT COUNCIL					
Ref.					Ack.
C.P.O.	D.P.	D.C.	B.C.	Admin.	File
Received					29 SEP 1981
Direct line 0272-218 948					
Switchboard 0272-218811					
GTN 2074					
Your reference					

Mr A N J Stuart
69 Crabtree Lane
HEMEL HEMPSTEAD
Herts
HB3 9E6

Our reference
T/APP/5252/A/81/8278/G5

Date

28 SEP 1981

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO:- 4/0266/81

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 the erection of a garage at 69 Crabtree Lane. 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 2 September 1981.
2. Your house is part of a recently constructed residential estate. This area has a harmonious attractive quality and very little appears, as yet, to have been altered in the houses and their surroundings from the original layout and design. The appeal site was intended to be a landscape verge at the junction of Crabtree Lane with Marriotts Way. The houses on the western side of Marriotts Way have a building line which continues the flank boundary of your original garden. Therefore the proposed garage would project beyond the other buildings on this side of the road and would occupy a very prominent position.
3. Although the site is very prominent, and has an impact on the whole character of Marriotts Way at its entrance, I see no reason why a carefully designed garage should not be sited here without marring the street scene. I note that the planning authority share this view, since planning permission has been given for an earlier application of yours, proposing a garage in traditional materials. From what is said in the representations and what I saw at my visit I consider that the main issue in this case is whether the garage now proposed would be harmful to this pleasant street scene.
4. A number of materials are used in the construction of the houses in the locality, but the predominant material is brick, of which 2 or 3 complementary colours have been used. Your proposal is clearly intended to respect this character, since the prefabricated panels you wish to use have a brick finish. Unfortunately, these brick finish panels are readily distinguishable from laid bricks and in my opinion, in this sensitive location, the difference is crucial. In many situations what you propose would be entirely acceptable, but I cannot regard the prefabricated garage as other than harmful to the character and appearance of the immediate locality, so much would it be at variance with the nature of the materials used in its surroundings.
5. I have taken account of all other matters raised, including your personal circumstances and the reasons for you, no doubt reluctantly, setting aside your original plans for this garage. Although sympathetic, I reluctantly have concluded

that the effect on the street scene referred to above is sufficiently serious to warrant refusal of planning permission. Therefore, in exercise of the powers transferred to me, I hereby dismiss your appeal.

I am Sir

Your obedient Servant

T. J. Kemmann-Lane

T J KEMMANN-LANE DipTP FRTPI MBIM
Inspector