



Department of the Environment and
Department of Transport

Common Services

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PLANNING DEPARTMENT
DACORUM DISTRICT COUNCIL GN 2074

CHIEF EXECUTIVE
OFFICER

10 DEC 1984

File Ref.

Refer to ... *elo 2012* ...

Cleared

Mr W A Burroughs
87 Adeyfield Road
HEMEL HEMPSTEAD
Hertfordshire
HP3 5AB

Ref.		Ack.		Your reference	
C.P.O.	D.P.	C.	Admin.	File	
Received <i>gdr</i>		20 DEC 1984		Date 17 DEC 84	
Comments					

Our reference
T/APP/A1910/A/84/018472/P3

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO: 4/0303/84

- As you know, I have been appointed by the Secretary of State for the Environment to determine your appeal which is against the decision of the Dacorum District Council to refuse planning permission for a detached garage at 87 Adeyfield Road, Hemel Hempstead. I have considered the written representations made by you and by the council. I inspected the site on 19 November 1984.
- From my inspection of the site and its surroundings and from the representations made, I consider the main issue to be the effect of the development on the amenities of neighbours and the character and appearance of the surrounding area.
- Adeyfield Road is a classified road in a residential area of Hemel Hempstead, and carries significant traffic flows. On the south side is an estate of 2-storey blocks set in open space, but on the north side, where the appeal site is located, is a frontage of varied, mainly post-war, detached houses in large gardens. The appeal premises and the houses on either side have a similar building line which is well set back from the road. No 87 is a 2-storey brick house which appears to have been extended on both floors to the west, and also by a single storey forward extension. The front garden is paved, and there is a tall, dense hedge defining the front boundary.
- The front garden area of the appeal premises and of the neighbouring houses, in conjunction with the landscaped area on the south side of Adeyfield Road, form a wide strip of undeveloped land containing trees, hedges and areas of lawn and garden which do much to enhance the character and appearance of the road for residents and passers-by. The amenity value of the front garden of the appeal premises is, therefore, not only as a part of the private outdoor space enjoyed by the residents of No 87, but also, in my opinion, its appearance is significant to neighbours and the general public. You propose to erect the garage in the south-eastern corner of the garden, immediately adjacent to the front boundary, and the boundary with No 89, although the front hedge would be retained. Whilst this hedge would conceal much of the garage in views from the road, the structure would nevertheless be somewhat higher and would therefore be likely to be visible. In these circumstances, the garage would be a discordant and dominant feature in the street scene. Furthermore, if the screening afforded by the hedge were for any reason lost, the visual effect of the garage would be considerably increased, to the detriment of the appearance of the area.

5. In my opinion the garage would also be clearly seen from the front rooms of a number of neighbouring houses in Adeyfield Road, and especially from first floor rooms. From these viewpoints, I consider that the location of the garage would appear to be most inappropriate and it would be an alien feature in the series of undeveloped front gardens in this part of the road.

6. You have drawn to my attention the existence of an electricity sub-station at the junction of Adeyfield Road and Longlands, which you consider to be unsightly, and argue that the proposed garage would be less detrimental to the appearance of the area. Whilst I agree with you that this structure is unattractive and could be improved visually, this does not in my opinion lend weight to an argument for another visually unsatisfactory development.

7. With regard to the objection to the proposal on the adequacy of the turning area, I consider that there is adequate space in the front garden for this purpose in conjunction with the proposed garage, so that vehicles could enter and leave the appeal site in the forward direction, and the permanent retention of this facility could be required by a condition. Similarly, I am satisfied that a condition could adequately prevent the installation of doors in the southern end of the garage at some future date. However, the objections to the scheme on amenity grounds are, in my opinion, overriding and it is on this that the appeal fails.

8. I have taken into account all other matters raised in the written representations, but they do not affect my conclusions on the planning considerations leading to my decision.

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

I am Sir

Your obedient Servant



J I CHAMBERS BArch MCD MRTPI
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

AJP

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Mr W Burroughs
87 Adeyfield Road
Hemel Hempstead
Herts

Mr A Duncombe
19 Jupiter Drive
Leighton Buzzard
LU7 8XA

..... Detached garage
.....
at .. 87. Adeyfield Road, .. 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 6th March 1984 and received with sufficient particulars on 8th March 1984 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 proposed development, by reason of its siting and design is unsympathetic to the character of existing adjacent development and, by reason of its prominent location, would be detrimental to the amenities of the surrounding properties and the environment of the locality.
2. No facilities are shown to enable a vehicle to turn such that it may enter and leave the site in a forward direction thus presenting a hazard to both pedestrians and vehicular traffic on the highway.

Dated 16th day of .. April 1984

Signed..... 

Chief Planning Officer

P/D.15

SEE NOTES OVERLEAF

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, 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.
- (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.