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PLANNING DEPARTMENT
DACORUM DISTRICT COUNCIL

Ref.				Ack.	
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Received 10 MAR 1982

Comments RETURN TO MS FOR COMMITTEE REPORT.

Your reference

Our reference T/APP/5252/A/81/10022/G2
T/APP/5252/A/81/14435/G2

Date 8 MAR 1982

Mr K Pryde
19 St Michaels Ave
HEMEL HEMPSTEAD
Herts

CHIEF ASSISTANT
DIRECTOR
10 MAR 1982
File Ref. .....
Refer to .....
Cleared .....

4701

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATIONS NOS:- 4/0320/81 AND 4/0956/81

1. I refer to your appeals, which I have been appointed to determine, against the decisions of the Dacorum District Council to refuse planning permission for (a) a detached dwelling (outline) and (b) a detached bungalow and garage at the rear of 19 St Michaels Avenue, Hemel Hempstead. I held a local inquiry into the appeals on 26 January 1982.

2. On the basis of the submissions and the evidence at the inquiry, the letters received and my subsequent visit to the site it is my opinion that the principal issue in both of these appeals is whether or not the proposed dwelling can be built without unacceptable damage to the appearance of the area and the amenity of nearby houses.

3. No 19 St Michael's Avenue is a 2-storey detached house situated at the corner of St Michael's Avenue and Crofts Path. The house has a frontage to St Michael's Avenue of about 45 ft and to Crofts Path of some 140 ft, the plot widening towards the rear to about 105 ft where it adjoins the western side boundary of No 24 Crofts Path. The land slopes gently to the south and east. St Michael's Avenue forms a staggered crossroads with Crofts Path, the junction of its northern arm opposite the rear garden of No 19. Crofts Path is the "through road" but the northern arm of St Michael's Avenue is well used by local traffic and the junction correspondingly busy.

4. The 2 appeals relate to what is essentially a single proposal to erect a bungalow on the eastern part of the rear garden of No 19 St Michael's Avenue fronting onto Crofts Path and adjoining No 24. The first appeal, relating to an application made in outline and specifying only a "dwelling", gave rise to some doubts as to the exact site concerned. This was rectified by the second which defined the appeal site more accurately, as having a frontage of about 45 ft and a depth which averages about 98 ft. The development proposed was to be a bungalow and garage of which the siting was indicated together with an illustrative sketch of its likely appearance.

5. In support of your appeals you submitted that the proposal was prompted by the need to move to a single storey dwelling for personal reasons but at the same time to stay where you and your wife have lived for many years. In these circumstances you had no intention of diminishing the amenity, and thus the value, of No 19 nor of those who would continue to be your neighbours. In your belief the proposal would have no adverse effects. The plot of No 19 was of sufficient size to subdivide

leaving No 19 with a garden of the same area if not of the same depth as the adjacent houses in St Michael's Avenue. The bungalow, fronting onto Crofts Path, would not be visible from St Michael's Avenue the appearance of which would be unaltered. In Crofts Path the bungalow would be screened by fences, hedges and trees and could only be overlooked from No 51, on higher ground on the opposite side of Crofts Path but a tall evergreen hedge intervenes and No 51 is, in any case, about 150 ft away.

6. The fences, trees, shrubs and the relative levels of the ground would prevent overlooking from the bungalow of any of its neighbours. No 24 Crofts Path, the nearest house and about 5 ft from the boundary, has a blank gable wall facing the appeal site. Its rear windows face south across its garden; the front ground floor windows would be screened by the fence and the upper windows would look out on only the roofs of the bungalow and garage. The garage, sited between the bungalow and the boundary of No 24 would effectively separate their respective living rooms. Nos 19 and 21 St Michael's Avenue would similarly be protected from overlooking of their rear windows and gardens by fences.

7. The pavement at the side of your garden at present provides a popular gathering place for young people and vandalism, including damage to your fence, was often the result. The proposal would allow better supervision and this aspect had the support of many local people.

8. In the Council's submission, the now deposited Dacorum District Plan includes the site within the urban area of Hemel Hempstead and in this area the Plan proposes policies for the control of new development to ensure that it is satisfactory in itself and will fit in well with its neighbours and in its surroundings. This, in the Council's view, the proposal fails to do. The character of the area comes from moderate to large sized detached hosues set in quite generous plots. There are no bungalows in the immediate area and where they do occur they are mainly as developments consisting of a number of bungalows having their own character. The single bungalow proposed, on a relatively small plot surrounded by detached houses would appear out of place.

9. Sited as proposed some 30 ft in front of the adjoining house No 24 Crofts Path the bungalow would be clearly visible in the open view along Crofts Path from the east even if it were partially screened by the existing wall, fence and trees. The front gardens of the houses in this part of Crofts Path are open and unfenced and the houses well set back. Sited on rising land the roof of the bungalow would be prominent as the termination of the view and in this position incongruous, unattractive and seriously limiting to the present relatively spacious aspect of Crofts Path. The view from the front windows of No 24, particularly from those on the first floor would be dominated by the close proximity of the roofs of the bungalow and its garage. This intrusion it is thought would have an unreasonable and seriously detrimental effect on the occupiers of that house.

10. Three neighbours who appeared at the inquiry supported the Council, stressing that the proposed bungalow on a relatively small site would in their view be out of keeping with an area where there are no bungalows and fearful that the proposal would set a precedent for other similar infilling developments. The building line to Crofts Path, established by the houses to the east, has been disregarded; the bungalow would be clearly visible at the top of the rise and out of context with its neighbours, while having a particularly adverse effect on the outlook from No 24.

11. St Michael's Avenue and the houses in Crofts Path to the east were I was given to understand built at different times by different developers but nevertheless they share a common character, being, as is most of the immediately surrounding area, of modern, medium sized detached houses set in plots that are relatively large. I

do not see that a bungalow would necessarily be at variance with this character but its siting and design in relation to the nearby houses would be likely to be of considerable importance. The appeal site is in a particularly sensitive position where the well set-back houses and the open front gardens of the eastern part of Crofts Path together with the rise in the land give it special prominence. At present the trees at the rear of your garden are an attractive feature in the view along Crofts Path, and screen the rear of your house. The roof and gable of the proposed bungalow would to my mind be a less than satisfactory substitute, obvious and intrusive and altering the pleasant suburban atmosphere of Crofts Path towards a more built-up appearance not appropriate for this part of the town. I am also concerned that the proximity of the bungalow to No 24 Crofts Path would result in a serious deterioration in the outlook from the front of the house. This the occupiers could reasonably expect to remain free of substantial building, having regard to the line generally followed by houses in Crofts Path and the development of the area being complete. I can have sympathy for your personal reasons for putting forward this proposal. I have, however, to bear in mind that the bungalow once built would remain for a very long time; its effects on the area and on neighbouring property must be of most importance, and these I find unacceptable.

12. I have taken into account all other points raised during the inquiry and in written representations but I find in them nothing to outweigh the considerations which have led me to this decision.

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

I am Sir
Your obedient Servant

G. E. Roffey

G E ROFFEY MSc(Econ) DipTP MRTPI
Inspector