

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To John Warren Pickrell Esq.
Cobbes
Sheethanger Lane
Felden
Hemel Hempstead
Herts

Warren Pickrell Associates
103 Old Brompton Road
London SW7 3LF

..... Two detached dwellings and one detached garage
..... to existing dwelling.
at Rear of 'Cobbes', Sheethanger Lane, Felden,
..... Hemel Hempstead, Herts.

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 19th April 1983 and received with sufficient particulars on 20th April 1983 and shown on the plan(s) accompanying such application..

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

- (1) In the opinion of the local planning authority, the density of development proposed is excessive and unwarranted in this location, and would if permitted result in a form of development out of character with the general pattern of housing in the area.

Dated 21st day of July 19 .. 83 ..

Signed

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, 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



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CHIEF EXECUTIVE
OFFICER

4 APR 1984

File Ref.
Refer to CPO 414
Cleared

Messrs Warren Pickrell Associates
Chartered Structural Engineers
103 Old Brompton Road
LONDON
SW7 3LF

Your reference

8980

Our reference PLANNING DEPARTMENT
DACORUM DISTRICT COUNCIL
T/APP/A1910/A/83/009523/PE1

Re Date

C.P.O.

D.P.

2 APR 84

Ack.

J.C.

Admin.

H.O.

Received

-4 APR 1984

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR J W PICKRELL
APPLICATION NO:- 4/0523/83

1. I have been appointed by the Secretary of State for the Environment to determine the above-mentioned appeal. The appeal is against the decision of the Dacorum District Council to refuse planning permission for 2 detached houses, and erection of double garage for existing dwelling, on land at rear of "Cobbes", Sheethanger Lane, Felden.

2. From my inspection of the site and surroundings on 5 March 1984, and from my consideration of the written representations made by you, the council and interested persons, I am of the opinion that the decision in this appeal rests primarily on whether the proposed development would be in keeping with the character of the surroundings.

3. The area in which the appeal site is situated is characterised by large residences in generally spacious grounds. Originally most of the dwellings had gardens of an acre or more, but in recent years there has been a very considerable amount of infilling and consolidation by the erection of new houses amongst the older dwellings, some of which themselves have been replaced. This has resulted in a large amount of what is known in planning terms as 'backland development' with driveways to new dwellings passing between existing houses, and inevitably some reduction in the previously very high standards of residential amenities, though I am not suggesting that this has been to an unacceptable extent.

4. This type of development is referred to in paragraph 7 of Development Control Policy Note No. 2, and some guiding principles are given. It is accepted that backland development can be satisfactory if conditions are right, but 'tandem development', ie one house directly behind another and sharing the same access, is generally considered unsatisfactory because of difficulties of access to the houses at the back and the disturbance and lack of privacy suffered by the house in front. The paragraph concludes by stating that the best results can often be achieved if a number of plots can be laid out and developed together.

5. From my inspection of the area it seems to me that the backland development that has been permitted at Felden has in fact avoided the worst of the effects referred to above as there is little actual tandem development, although in one instance one dwelling was allowed directly behind another after an appeal. However in that instance the residential amenities of the existing dwellings were not considered to be seriously prejudiced, the access road was regarded as of generous width, and it was suggested that the dwellings to be erected in tandem should be bungalows.

6. In the case of the proposal before me, the development would result in 2-storey tandem development, as would a similar proposal for a dwelling at the rear of the adjacent house, 'Longwood', if it had been allowed. I accept that the proposed development would be quite spacious by general present-day standards, but in this area, and especially on the eastern side of Sheethanger Lane, the new dwellings would be relatively close to the backs of the existing dwellings, and have a poor relationship with them, giving an impression of development at a noticeably greater density than at present. If the proposed houses faced towards Sheethanger Lane they would overlook the garden at the rear of the existing large house 'Cobbes' (which would be noticeably smaller than its immediate neighbours) at very close range. If the new houses fronted in a south-westerly direction, ie towards the access drive as you indicated might be preferable at the site inspection, one would overlook the rear of the other at very close range, and both houses would overlook the rear of the properties on either side. I am thus of the view that the present proposal does exhibit some of the disadvantages associated with tandem development and would be significantly out of keeping with the existing character of the surroundings.

7. I have examined all the other matters raised in the written representations, but there is nothing of sufficient substance to outweigh those considerations that have led me to my decision that it would not be acceptable to grant permission for the erection of 2 dwellings on the appeal site in the manner at present being proposed.

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

I am Gentlemen
Your obedient Servant



J M DANIEL DFC FBIM
Inspector