

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF **DACORUM**

IN THE COUNTY OF HERTFORD

.....

To Mr. R. Copeland,
10 Longfield Gardens,
Tring,
Herts.

Agents: Skidmore, Norris Associates,
Architects and Surveyors,
1, Mardley Hill,
Welwyn,
Herts.

<p>16 one-bedroom flats in two-storey blocks</p> <p>at 102-110 Longfield Road, Tring.</p>


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 **22nd May, 1974** and received with sufficient particulars on **28th May, 1974** 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 proposal would represent gross over-development of the site.
- (2) The garaging and parking arrangements are inadequate.
- (3) The form of development is poor and would result in loss of privacy for the occupiers of adjoining property and there is insufficient room within the curtilage for servicing and landscaping.

Dated **First** day of **August** 19 **74**...

Signed 
Director of Technical
Designation **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.



Department of the Environment
Caxton House Tothill Street London SW1H 9LZ

Telephone 01-834 8540 ext 429

Messrs Stimpson, Lock and Vince
9 Station Road
WATFORD

Your reference

JWP/IFP

Our reference

T/APP/5252/A/74/11621/G9

Date

4 JUN 1975

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY D H LAWTON ESQ

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 conversion of existing garage to residential unit at "Feldenhurst", Felden Lane, Boxmoor, Hemel Hempstead. I have considered the written representations made by you and by the council. I inspected the site on 6 May 1975.
2. From my examination of the appeal site and my consideration of the representations made I am of the opinion that the determining issue in this appeal is whether or not the appeal building is suitably sited in relation to other buildings for residential use.
3. The appeal building which has been described as a garage and store is at the rear of the curtilage of "Feldenhurst" which is a large property which has been divided internally into 6 separate units of residential accommodation.
4. In your submissions you have pointed out that "Feldenhurst" has now been in use as 6 self-contained flats for more than 2 years and during that time the appeal building has not been used as a store because it was found that sufficient storage space had been provided with the large house in the course of its conversion. The building is in sound structural condition and the appeal proposals would result in an aesthetically pleasing small cottage style residence which would be within a group of residential uses within the original curtilage of Feldenhurst. The day to day problems arising from the multi-occupation of Feldenhurst are proving too burdensome for your client and he is contemplating the possibility that a future tenant of the appeal building would be a person willing and able to undertake some of the maintenance duties. In revised plans you have endeavoured to meet objections raised by the local planning authority and it is now proposed to have no window spaces overlooking the neighbouring property "Maintop". There would be no intrusion into the privacy of those occupying the main building. The screening along the southern boundary of the site would be retained and a small amenity space would be provided with the building and its occupants would have the enjoyment of all the amenities shared by those occupying the 6 units within the main building. Experience has shown that there are no other purposes for which the appeal building could be used in connection with the residential occupation of Feldenhurst.

5. Although the latest proposals meet some of their original objections the local planning authority point out that all living rooms in the building would now have a northerly aspect. The appeal proposals would result in a 2 bedroomed dwelling overlooking the communal car parking and servicing area at the rear of "Feldenhurst".

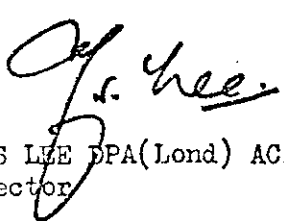
6. The appeal building is substantially built but is in danger of becoming more dilapidated through lack of use. Its appearance suggests the possibility of its having originally been built for residential use in connection with Feldenhurst. It is at present contributing little to visual amenity. Its conversion as proposed would not result in overlooking of neighbouring properties. The amenity area to be provided for the exclusive use of the occupants of the appeal building would be small but in the division of the large house Feldenhurst into separate residential units provision was made for shared or communal amenity areas which would be available for the enjoyment of those occupying the appeal building. There would be some disadvantage in overlooking the car parking and rear servicing area of Feldenhurst but the buildings are sited in very pleasant surroundings which are compensating. The building is suitable for conversion and in view of the need to increase the stock of housing I think that on balance there is sufficient justification for allowing the appeal proposals to proceed.

7. I have considered all the other representations that have been made but they are not in my opinion sufficient to outweigh the considerations leading to my decision.

8. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant permission for the conversion of existing garage and store to residential unit at Feldenhurst, Felden Lane, Boxmoor, Hemel Hempstead in accordance with the terms of the application (No 4/0559/74, other reference 538/74D) dated 23 May 1974 and the plans submitted therewith, subject to the condition that the development hereby permitted shall be begun not later than 5 years from the date of this letter.

9. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971. Your attention is particularly drawn to the provisions of section 277A of the Town and Country Planning Act 1971, (inserted into the Act by the Town and Country Amenities Act 1974 which came into operation on 31 August 1974) which require consent to be obtained prior to the demolition of any buildings in a conservation area.

I am Gentlemen
Your obedient Servant


A F S LEE DPA(Lond) ACIS
Inspector