

Other
Ref. No.

IN THE COUNTY OF HERTFORD

One dwelling and garage,
on land rear of 42 Bedmond Road,
Hemel Hempstead.

Signed Colin Barnard
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.

[Handwritten signature]

C.P.O.

RETURN TO
MA FOR COMMITTEE
REPORT1) MB
2) TW
3) CB
4) TEAM 1

Department of the Environment

Room 1320

Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218 870
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CTN 2074PLANNING DEPARTMENT
DACORUM DISTRICT COUNCIL

Ack.

C.P.O. D.P. D.C. B.C. Admin. File

Your reference

Received 921 - 9 JUN 1982

T/APP/5252/A/81/16074/G6
Comments
Date

5151 31 MAR 1982

C A Goman Esq
42 Bedmond Road
Leverstock Green
HEMEL HEMPSTEAD
Herts
HP3 8LLCHIEF EXECUTIVE
OFFICER

9 JUN 1982

File Ref.

Refer to C.P.O.

Created ...

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO:- 4/0579/81

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 detached house and garage on land to the rear of No 42 Bedmond Road (with access to Chambersbury Lane). I have considered the written representations made by you and by the council and also those made by other parties and interested persons. I inspected the site on Wednesday 24 February 1982.
2. Since my site visit I have seen your comments on letters from interested persons dated 18 February, and I have seen the additional representations from the Abbeyfield Hemel Hempstead Society Limited, and another private objector.
3. From the representations made, and from my inspection of the site and surroundings I have formed the view that the determining factor in this case should be the effect which an additional dwelling in the proposed position would have on the character and appearance of the locality.
4. The appeal site, which is approximately 350 sq m in extent, forms part of the back garden of your house No 42 Bedmond Road. As this is a corner property, at the junction of Bedmond Road and Chambersbury Lane, the frontage and means of access for any new dwelling would be in Chambersbury Lane. Bedmond Road is situated in Leverstock Green, a hamlet to the south-east of Hemel Hempstead on the A414 road to St Albans. While the location forms part of the designated area of the former new town, and has been expanded as a residential location in consequence, it retains much of the character of a small settlement in a semi-rural area, and is characterised by a feeling of spaciousness, except in the immediate village centre.
5. In refusing your original application, which is in outline only, the planning authority have taken the view that the proposal to develop on this restricted site would produce a dwelling unit which would detract from the amenities of the immediately adjoining householders, and of the locality generally. Against this you have argued that the site is adequate to accommodate a house in the same style as and compatible with neighbouring houses in Chambersbury Lane, and that the proposal, given the size of the plot, is in keeping with other proposed developments in the neighbourhood.
6. I agree that the question of what is an adequate amount of land on which to locate a detached dwelling and garden is to a degree a matter of opinion. It can often be resolved only by a close consideration of the effect in a very localised

context. Leverstock Green, which is an old village, shows several examples of dwellings harmoniously co-existing on quite small sites. Nevertheless in considering the effect of the insertion of a new house between the side of No 42 Bedmond Road, and No 362 Chambersbury Lane it is, in my view, necessary to consider the result both in terms of the physical impact on both houses, and the visual result. * This is quite a small site, and to provide even a minimum back garden for the new dwelling it would be necessary for the frontage of the house to be stepped forward of the general building line on the south-west side of Chambersbury Lane. In my view the result would be incongruous, and visually unattractive in this position, and the accommodation of 2 detached dwelling units on the present curtilage of No 42 Bedmond Lane would produce an unduly cramped appearance, out of keeping with the immediate environment. *

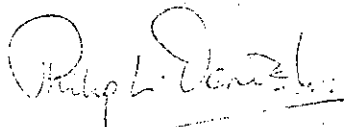
7. I have considered the question of traffic consequential, since this point has been raised by several objectors, although it is not a matter on which the planning authority made representations. I would not regard the additional traffic which a new house would attract, nor the question of access to the site, or to Bedmond Road, as significant factors in the granting or withholding of permission, if the proposition had been acceptable on other planning grounds.

8. However, while I acknowledge that in general a householder should be free to make such use of his property as his circumstances require, to insert a new dwelling on this site would in my view be seriously detrimental to the visual appearance of the locality and is not justified on the grounds of urgent pressure for additional building land in the area. The precedent, if conceded could, in my view, lead to a progressive deterioration by similar sub-division of larger curtilages, which would undermine the new town concept which has applied here.

9. I have taken into account all the representations received, including those of the Leverstock Green Village Association, but I have reached my conclusion on my assessment of the planning factors involved. While in a closely built-up urban situation the size of your plot might be held to be adequate for the proposed purpose, I have concluded that, given the characteristics of the area, an additional dwelling here would unacceptably diminish the amenities of an attractive part of Hemel Hempstead.

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

I am Sir
Your obedient Servant



PHILIP L DANIEL BA(Lond) FBIM
Inspector