

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr J Hazzard
74 Bury Road
Hemel Hempstead
Herts

Mr E E Lemon
Brook Cottage
Bank Mill Lane
Berkhamsted
Herts

Two detached houses
at Adj 74 Bury 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 11 April 1988 and received with sufficient particulars on 11 April 1988 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 represents an undesirable form of two-tier backland development being served by a long and narrow means of access passing between the proposed house at 'Plot 1' (as shown on Plan 4/0647/88) and 80 Bury Road. Such development would not only be liable to place an unwarranted burden on the various services but would in addition result in dwellings being sited in poor relationship to one another.
2. Due to the difference in levels between 'Plot 2' (as shown on Plan 4/0647/88) and the site to the west, the proposed house at 'Plot 2' is likely to suffer from overlooking, providing inadequate levels of privacy for future occupants.

/Reasons continued on attached sheet.....

Dated day of 19

Signed

Chief Planning Officer

NOTE

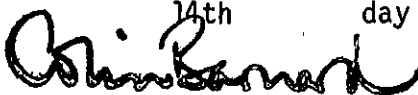
1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with s.36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form 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.
2. 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 Borough 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.
3. 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 s.169 of the Town and Country Planning Act 1971.

4/0647/88 /Cont'd...

Reasons /Cont'd....

3. There is inadequate turning space within the site for vehicles to enter and leave in a forward gear.
4. The proposed access road serving the house at 'Plot 2' and the garages (as shown on plan 4/0647/88) would have a seriously detrimental affect on the amenities at present enjoyed by the occupants of the dwelling to the south and on the amenities of the house at 'Plot 1' (as shown on plan 4/0647/88).

Dated 14th day of June 1988



Signed

Designation CHIEF PLANNING OFFICER