

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mrs L Tucker
12 Park Avenue
Bideford
Devon

..... Two storey side and rear extensions and
..... conversion of studio to dwelling
.....
at Elyyn Hall
..... Chesham Road, Berkhamsted, 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 1.4.88 and received with sufficient particulars on 18.4.88 and shown on the plan(s) accompanying such application..

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

In the opinion of the local planning authority, the proposed parking arrangements are unsatisfactory in as much as adequate visibility sight lines cannot be provided to the standards set out in the current edition of Hertfordshire County Council's "Specification for the Construction of Residential Estate Roads" to the detriment of the safety of vehicles and pedestrians using Chesham Road.

Dated SECOND day of JUNE 19 88

Signed.....

SEE NOTES OVERLEAF

P/D. 15

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.

SIDE

4/0692/88. TWO STOREY AND REAR EXTENSIONS AND CONVERSION OF STUDIO TO DWELLING.

ELVYN HALL, CHESHAM ROAD, BERKHAMSTED.

APPLICANT: MRS L TUCKER

DESCRIPTION - The application site comprises a rectangular plot of land of 118 sq m (1270 sq ft) with an 11 m (36 ft) frontage onto Chesham Road. The site currently houses 'Elvyn Hall', a single storey brick building that was once a religious meeting house and has recently been in use as an artist's studio (4/0004/75). The floor area of the building is 44.5 sq m (479 sq ft) and the proposal is to extend this to create a 3 bedroom dwelling of 137.4 sq m (1479 sq ft) habitable floor space. Extensions will be in the form of a 2 storey rear addition 6 m x 6m (20 ft x 20 ft) that exceeds the existing ridge height by 1.3 m (4.3 ft), and a side extension car port with first floor accommodation above. There will be no overlooking from this development.

Two parking spaces have been provided in accordance with the adopted standards of the District Plan.

POLICIES

Hertfordshire County Structure Plan

Policies 11A, 11D and 16

Dacorum District Plan

Urban Area; Policies 18, 19, 62 and 63

REPRESENTATIONS

Berkhamsted Town Council

Comments awaited

Director of Technical Services

Comments awaited

X CONSIDERATIONS - There are no policy objections to this proposal. Although the building is on a small plot of land there is sufficient amenity space to the rear. Development is right up to the front property boundary and covers the full frontage onto Chesham Road. This does not, however, create a cramped form of development when considered in relation to other properties on this part of Chesham Road. Nineteenth century cottages front directly onto the footway, and a new development of 20 flats has recently been granted on an adjacent plot where development will again be to the edge of the footway. There are no objections, therefore, in terms of design and siting, and there will be no overlooking from the extensions. However, access to the development appears to be inadequate as the normal visibility splays and sight lines cannot be achieved. The views of the Director of Technical Services have been sought, although it is important to note that relaxed standards have been

applied in the case of other developments in Chesham Road with regards to sight lines as it is a one-way street.

RECOMMENDATION - That, subject to the views of the Director of Technical Services, planning permission be ~~GRANTED~~ (on form DC3), subject to the following conditions: REFUSED

1. The development to which this permission relates shall be begun within a period of five years commencing on the date of this notice.
2. No work shall be started on the development hereby permitted until details of materials to be used externally shall have been submitted to and approved by the local planning authority, and the development hereby permitted shall be carried out in the materials so approved.
3. The development hereby permitted shall not be occupied until the car port shown on Dwg No. DN.LAB1a shall have been provided, and this area shall not be used thereafter otherwise than for the parking of vehicles.

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inadequate sight and visibility lines