

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr M T Loddy
49 Ridge Lea
Hemel Hempstead
Herts

..... Three storey side extension and conversion to form
..... five flats
at 1 Roughdown Villas 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 Undated and received with sufficient particulars on 18 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 proposed extensions by reason of their overall bulk and design would dominate and consequently detract from the character of the property and disrupt the symmetry of this group of Listed Buildings.
2. The development proposed is excessive and constitutes an over intensive use of the site which would prove severely injurious to the general character and amenity of the adjoining property and the area in general.
3. The provision of additional dwellings served by an unmade private road which is of inadequate construction and specification is not desirable and would be detrimental to pedestrian and vehicular safety.

Dated 23 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.

However the unmade access road is poor and intensification of its use is not desirable. The proposed extensions are considered to be detrimental to the character of the building and to disrupt the symmetry of the pairs of houses. The applicant has attempted to reflect the characteristics of the existing house such as the window proportions and bracketed eaves cornices. But the large archway introduces a void at ground floor level and the provision of a third floor over part of the existing house and the new extension will result in this house becoming over dominant in relation to the adjoining property and the street scene in general. It is obviously desirable to preserve listed buildings and their setting and it is accepted that this property has fallen into disrepair. However, this should not be at the expense of the character and appearance of the building. The provision of five households in the single dwelling would create an over-intensification of the use of the property with additional noise, traffic and general disturbance.

✓ RECOMMENDATION - That planning permission be REFUSED (on form DC4) for the following reasons:

1. The proposed extensions by reason of their overall bulk and design would dominate and consequently detract from the character of the property and disrupt the symmetry of this group of Listed Buildings.
2. The development proposed is excessive and constitutes an overintensive use of the site which would prove severely injurious to the general character and amenity of the adjoining property and the area in general.
3. The provision of additional dwellings served by an unmade private road which is of inadequate construction and specification is not desirable and would be detrimental to pedestrian and vehicular safety.

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