

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr N Stonebridge
220 Mancroft Road
Caddington
Luton
Beds

R J Kendall
1 Saltdean Close
Luton
Beds
LU2 8QN

Conversion of dwelling to form three flats

at 13 St Albans Hill, 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 18 April 1988 and received with sufficient particulars on 19 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. Access to the proposed development is inadequate and unsuitable for the additional traffic which would be generated.
2. The proposed parking area to the rear of the development due to its size and position, would have a seriously detrimental effect on the amenities at present enjoyed by occupants of adjacent dwellings.

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.

5. Loss of amenity and outlook from rear gardens due to car parking spaces.
6. Upkeep of common areas.
7. Character of immediate neighbourhood will change.
8. Loss of privacy by overlooking.

CONSIDERATIONS - The level of car parking provided is satisfactory by District Plan Standards, but I am concerned about the increased use of the access road that the development may create. The access point off St Albans Hill is very busy. It is heavily congested with vehicles used in association with the adjacent car sales garage, repairs garage and vehicle rental firm. The entrance to the rear access track is very narrow, only 3 m wide at that point. Although this unmade track is already heavily used by existing residents, I consider that the proposed development will both intensify its use and set a precedent for similar developments in this row of houses, giving rise to an unacceptable level of vehicle congestion.

I do not consider that the rear extension will cause any loss of amenity to adjacent properties. The car parking area, some 18 m deep, is on the most elevated section of the garden, and the adjacent gardens are generally open, being separated only by low fences. I consider that a parking area of this size and in this position would be detrimental to the amenity of the adjacent properties by reason of noise, fumes and general disturbance.

In summary, I consider that these proposals will cause congestion on the rear access road and at the already busy access point near the garage. Also the parking spaces as proposed will lead to a loss of amenity to adjoining dwellings.

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

1. Access to the proposed development is inadequate and unsuitable for the additional traffic which would be generated.
2. The proposed parking area to the rear of the development due to its size and position, would have a seriously detrimental effect on the amenities at present enjoyed by occupants of adjacent dwellings.

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