

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To

N. Wordley, Esq.,  
6 Heath Lane,  
Hemel Hempstead,  
Herts.

P.M. Millward, Esq., Dip. Arch. RIBA.,  
34 South Hill Road,  
Hemel Hempstead,  
Herts.

.....Two storey side extension.....  
.....  
at 6 Heath Lane, Hemel Hempstead, 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 .....19th May 1983..... and received with sufficient particulars on .....31st May 1983..... and shown on the plan(s) accompanying such application.

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

The proposed development, by reason of its siting and size, would be unduly prominent in the street scene and have a seriously detrimental effect on the amenities of the locality.

Dated .....19th..... day of ..... July..... 1983....

Signed



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, 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.
- (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.



**Department of the Environment and  
Department of Transport**

**9600**

Common Services

Room 142 Colgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218 927 ext 20

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File Ref. ....

27 per to

Heard

PLANNING DEPARTMENT DACORUM DISTRICT COUNCIL						GTN 2074	
Ref.				Ack.		Your reference	
C.P.O.	D.P.	D.C.	B.C.	Admin.	File		Our reference T/APP/A1910/A/84/11229/PE4 Date <b>13 JUN 1984</b>
Received <b>15 JUN 1984</b>							
Comments							

N Wordley Esq  
6 Heath Lane  
Boxmoor  
HEMEL HEMPSTEAD  
Hertfordshire  
HP1 1TT

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPLICATION NO:- 4/0718/83

- I have been appointed by the Secretary of State for the Environment to determine your appeal. Your appeal is against the decision of the Dacorum District Council to refuse planning permission for a 2-storey residential extension at 6 Heath Lane, Hemel Hempstead. I have considered the written representations made by you and by the council and also those made by interested persons. I inspected the site on 2 May 1984.
- From my inspection of the site and from the written representations which have been submitted I have come to the conclusion that the main issue in this case is whether or not the proposed extension would be unduly detrimental to the street scene by reason of its size and siting.
- Your house is one of two pairs of semi-detached houses in this part of Heath Lane close to the cemetery. It lies on the corner of Heath Road and Heath Close and on the opposite corner is a pair of semi-detached bungalows. The houses in the area are mostly of an older style built no doubt between the wars and although only a few of these have been extended, including the bungalow on the opposite corner to your house, several others have clearly been repaired and improved over the years. Your own house is a modest, rendered house which has been painted externally very much in the style of other properties in the area and which enjoys, it is true, a slightly prominent position owing to its elevation above the main road. Heath Close also rises above this road, (particularly within the first few feet from the junction) and I have noted that your side fence and the shed in the rear garden of your property would be replaced or improved as a result of your proposal.
- The proposed extension would continue the body of your house to its boundary and if rendered and tiled to match the existing property could no doubt be made to harmonise with it. The slightly awkward construction of the roof would not in my view be such as to cause insuperable difficulties either of appearance or construction and although the extension would be clearly seen by people turning into Heath Close, it does not seem to me that it would be an unacceptably intrusive element in the street scene, particularly if the existing mature conifer in your garden is retained with this in mind I intend to impose a condition requiring its protection during building operations.
- I have taken into account all the other matters raised in the representations but find nothing in them to lead me to set aside the general presumption in such

cases which is, of course, that planning permission should always be granted unless there are good reasons for objecting to a proposal such as yours. In this case it does not seem to me that any of the other matters raised are sufficient to outweigh those factors which have led me to my decision and therefore for the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for a 2-storey residential extension at 6 Heath Lane, Hemel Hempstead in accordance with the terms of the application (No 4/0718/83) dated 19 May 1983 and the plans submitted therewith, subject to the following conditions:

1. the development hereby permitted shall be begun not later than 5 years from the date of this letter;
2. the conifer tree at the rear of the property shall be protected during building operations in accordance with a scheme to be agreed by the local planning authority.
6. Attention is drawn to the fact that an applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.
7. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Section 23 of the Town and Country Planning Act 1971.

I am Sir  
Your obedient Servant

*R C Shrimplin*

R C SHRIMPLIN MA(Cantab) DipArch RIBA MRTPI ACIARB  
Inspector