

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Mr. and Mrs. Houston,
3 Northview,
Winkwell,
Hemel Hempstead,
Herts.

G.C. Weatherly, Esq., ARIBA.,
BP House (14th Floor),
Marlowes
Hemel Hempstead,
Herts.

First floor rear extension
.....
.....
at 3 Northview, Winkwell, 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 30th May 1984 and received with sufficient particulars on 31st May 1984 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 extension, due to its height, mass and design, would have a seriously detrimental effect on the character of the property itself and the overall street picture in a designated Conservation Area.

Dated 10th day of August 1984

Signed *W. Barnard*

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**

Common Services

Room 1419

Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218-950

Switchboard 0272-218811

GTN 2074

PLANNING DEPARTMENT
DACORUM DISTRICT COUNCIL

Ref.				Ack.	
C.P.O.	D.P.	D.C.	S.C.	Admin.	File

- 4 MAR 1985

Comments

Your reference

Our reference

T/APP/A1910/A/84/022427/P3

Date

- 1 MAR 85



G C Weatherly Esq ARIBA
Chartered Architect
BP House (14th Floor)
HEMEL HEMPSTEAD
Hertfordshire HP1 1DL

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR AND MRS HOUSTON
APPLICATION NO: 4/0722/84

- I have been appointed by the Secretary of State for the Environment to determine your clients' appeal against the decision of the Dacorum District Council to refuse planning permission for the erection of a first floor rear extension at 3 North View, Winkwell. I have considered the written representations made by you and by the council. I inspected the site on 14 January 1985.
- From my inspection of the site and surroundings, and the consideration of the written representations, I am of the opinion that the main issues in this appeal are the effect of the proposed development on firstly, the character and appearance of the conservation area and secondly, on the amenities of the residents of the neighbouring property.
- Your clients' house is a small, mid-terraced property on the east side of North View, the narrow road which runs through the hamlet of Winkwell. The settlement consists of only a handful of properties and the Three Horseshoes Public House on the north side of the Grand Union Canal. Notwithstanding the nearby A41 Trunk Road to the south and the main line railway to the north, it is an attractive place and this has been recognised by the council in designating the settlement as a conservation area.
- As a result, development such as that proposed by your client is subject to policies contained in the Dacorum District Plan which was adopted by the council in January of last year. Amongst other things, the Plan requires any new buildings to be sympathetic to the conservation area as a whole in terms of scale, form, height and materials.
- It is proposed to extend across the full width of the property at first floor level over the existing ground floor extension, reflecting in the main the existing extension next door at No. 2. Although the extension would be seen from the nearby car parks, it would be substantially screened by trees on one side and the large extension next door on the other. This, together with the fact that it would not be visible from the road, leads me to conclude that it would not have a detrimental effect on the character and appearance of the conservation area.
- However, the extension would have a blank wall some 5 m high and 3 m deep close to the upstairs window of the property to the north, No. 4. In my opinion, this would reduce considerably the already limited natural daylight and outlook enjoyed by the residents of the property to an unacceptable degree.

7. Whilst I fully appreciate your need for extra accommodation, regretfully I must conclude that the proposal as submitted is unacceptable. I have taken into account all other matters raised, but none are sufficient to overcome the planning considerations which have led me to my decision.

8. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir
Your obedient Servant



T COOKSON DipTP MRTPI
Inspector