

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr R Nobes
32 Sawyers Way
Adeyfield
Hemel Hempstead
Herts

Mr G V Bunyan
14 Queens Road
Berkhamsted
Herts
HP4 3HU

Two storey side and rear extension and the formation...
of five flats garages and parking
at 'Ashwell', Cemmaes Meadow, 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 20 April 1988 and received with sufficient particulars on 21 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 increased traffic likely to be generated by the proposed development would be a potential hazard on adjacent highways which because of inadequate width and construction are unsuitable for such additional traffic.
2. The proposed development would cause an unacceptable degree of noise and general disturbance to adjoining occupants by reason of backland parking.

Dated 23 day of June 1988

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.

- Cemmaes Meadow already has a serious on-street parking problem.
- Existing road is too narrow to accommodate further traffic.
- Access difficult for Emergency or Private vehicles.
- Lack of turning space.
- Loss of outlook.
- Overlooking.
- The building would be obtrusive.
- Intensification of use would exacerbate existing difficult situation.

CONSIDERATIONS - A previous outline application for one dwelling on the site was permitted in October 1987. The current scheme involves an extension of more than double the width of the existing house and will result in considerable depth on the northern boundary (approximately 14 m), albeit the extension is set away from the adjoining semi-detached property. However, whilst the design will disrupt the symmetry of the pair of semi's, the detailing and materials will match the existing house and I have no particular objection on this count.

Cemmaes Meadow has a relatively narrow carriageway width of about 5.0 metres. It is clearly evident that the street is congested by on-street parking and vehicular access to the site is far from ideal. The scheme meets the car parking requirement of the District Plan, however, a net increase of 4 dwellings would generate a significant amount of traffic movement to and from the site and this will only worsen the traffic problem of Cemmaes Meadow. I would anticipate that larger delivery vehicles would find it particularly difficult to manoeuvre in and out of the site given the limited amount of turning space. I am also concerned that parking to the rear of the site will cause noise and general disturbance to the occupiers of adjoining dwellings.

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

1. The increased traffic likely to be generated by the proposed development would be a potential hazard on adjacent highways which because of inadequate width and construction are unsuitable for such additional traffic.
2. The proposal development would cause an unacceptable degree of noise and general disturbance to adjoining occupants by reason of backland parking.

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