

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

Other

Ref. No. ....

THE DISTRICT COUNCIL OF ..... **DACORUM** .....

IN THE COUNTY OF HERTFORD .....

To D. B. Rees (Builders) Ltd.,  
Balfour House,  
Flaunden Lane,  
BOVINGDON,  
Herts.

Messrs. Planning Associates,  
55 Etheldene Avenue,  
LONDON,  
N.10.

Two Bungalows with Double Garages.

at "Tintagel", Scatterdells Lane, Chipperfield.

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 ..... **6th July, 1977.** ..... and received with sufficient particulars on ..... **7th July, 1977.** ..... and shown on the plan(s) accompanying such application..

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

The development proposed being on two levels would be out of character with dwellings in the immediate vicinity.

Dated ..... **28th** ..... day of ..... **July,** ..... 19 **77.** .....

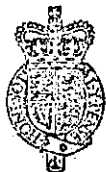
Signed.....

Designation **Director of Technical Services.**

## 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, Whitehall, London, S.W.1.) 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.

A/189/19.12

**Department of the Environment**

Room

Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218

Switchboard 0272-218811

Messrs Planning Associates  
55 Etheldene Avenue  
LONDON N10 3QE

Your reference

Our reference

T/APP/5252/A/77/6959/G7

Date

14 9 JAN 1978

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY D B REES (BUILDERS) LIMITED  
APPLICATION NO. 4/0747/77

1. I refer to this appeal, which I have been appointed to determine against the decision of the Dacorum District Council to refuse to approve details reserved by the outline planning permission (No. 4/0295/77) dated 21 April 1977 for 2 detached bungalows with garages on land at 'Tintagel', Scatterdells Lane, Chipperfield, Hertfordshire. I have considered the written representations made by you and by the council and also those made by other interested persons. I inspected the site on Monday 12 December 1977.
2. From my inspection of the site and surroundings and the representations made, I am of the opinion that the decision in this case is primarily dependent upon whether the proposed chalet bungalows would be grossly out of keeping with nearby residential development in Scatterdells Lane and thus harmful to local visual amenities, and whether either or both would seriously infringe the privacy which the occupiers of nearby dwellings might reasonably expect to continue to enjoy.
3. I note that the planning authority suggest that the siting of the garage of the proposed dwelling on the north-east side of the appeal site would be unsatisfactory in relation to the adjoining bungalow, and that the objection on this ground could be overcome by locating the garage and the dwelling in question about 15 ft further from the lane. From the site inspection I understand that this suggestion is accepted and that the application is amended accordingly.
4. The appeal site is about 1.63 acres in area and has a frontage of about 125 ft to the lane. It increases in width to about 180 ft at its north-western end, and is of about 450 ft average depth. Each plot would be about 70 ft wide where the chalet bungalows would stand, and would be markedly wider than the adjoining plots on either side. The proposed central joint access drive would enable substantial trees at the front of the plots to be retained, and there are also trees in positions to the rear of the proposed dwellings which could also be retained. Side boundary hedges in the vicinity of the proposed buildings are generally about 6 ft or more in height. The chalet bungalows would be about 20 ft minimum distance from either of these existing boundaries, about 25 ft apart, and, excluding the garage of the south-western dwelling, they would be set 70 ft or more from the lane.
5. Plot widths in the district vary and while dwellings in the immediate area of the site are mainly bungalows with low-pitched roofs, there are a variety of dwellings

with dormer windows within 50 to 200 yds of the appeal land. The nearer bungalows are not in my opinion, of remarkably harmonious design and arrangement, whereby the design of dwellings upon the appeal site should be specially restricted. With their relatively generous spacing, and in their position well away from the road amid trees to front and rear, I consider that the chalet bungalows would look pleasant in an attractive setting, and that they would be neither out of keeping with nearby residential development, nor harmful to local visual amenities.

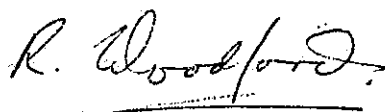
6. The existing trees and boundary hedges would serve to give reasonable protection to the privacy of the adjoining bungalows despite the construction of the dwellings with bedrooms in the roof space and windows in dormers and gable ends. The only windows which would directly overlook the adjoining properties would be the bathroom window in the north-east gable of the north-eastern dwelling, and the south-western bedroom window of the other dwelling, which would merely overlook the roof of the adjoining bungalow. I do not consider that either of these windows, or any or all of the other first floor windows, would constitute a material threat to the privacy reasonably to be expected in either adjoining dwelling, or in the bungalows opposite to the south, which are themselves open to Scatterdells Lane. I conclude that this appeal should succeed.

7. I have considered the other points raised in the representations, but I find them of insufficient weight to affect my decision.

8. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and approve the details for the erection of 2 detached bungalows and double garages on land at 'Tintagel', Scatterdells Lane, Chipperfield, Hertfordshire in accordance with the terms of the application (No. 4/0747/77) dated 6 July 1977 and the plans submitted therewith, and amended as set out in paragraph 3 above.

9. 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 Gentlemen  
Your obedient Servant



R WOODFORD DipTP MRTPI  
Inspector