



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/0800/91

Messrs. Francis & Bennett  
Hazel End  
Redbourn Road  
Hemel Hempstead  
HERTS

Raymond P. Crosby  
109 St. Agnells Lane  
Hemel Hempstead  
Herts  
HP2 7BG

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

Hazel End (Formerly Scrabo), Redbourn Road, Hemel Hempstead

THREE DETACHED HOUSES AND ALTERATIONS TO ACCESS

Your application for *full planning permission (householder)* dated 08.06.1991 and received on 11.06.1991 has been **REFUSED**, for the reasons set out on the attached sheet(s).

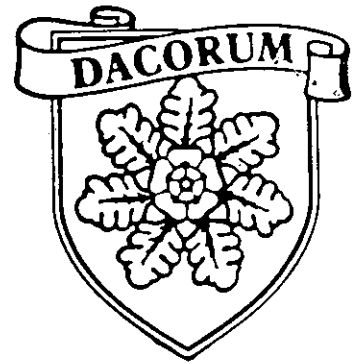
Director of Planning

Date of Decision: 02.08.1991

(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/0800/91

Date of Decision: 02.08.1991



1. The proposed development, due to its relationship with adjacent residential properties, would have a seriously detrimental effect on the amenities of the occupants of these dwellings by reason of loss of privacy and disturbance resulting from vehicular and other activity.
2. The proposed development is excessive and unwarranted in this location and would prove injurious to the general character and amenity of the area.



**Planning Inspectorate**  
**Department of the Environment**

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**Poulter and Francis**  
 57 Marlowes  
 HEMEL HEMPSTEAD  
 Hertfordshire  
 HP1 1LE

PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL						
Ref.				Ack.		
C.P.O.	I.C.P.M.	D.P.	D.C.	B.C.	Admin.	File
Received				Date		
14 NOV 1991				13 NOV 91		
Comments						

Your reference

BR/SEK

Our reference

T/APP/A1910/A/91/189674/P8

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
 APPEAL BY MR AND MRS B FRANCIS AND MR AND MRS D BENNETT  
 APPLICATION NO: 4/0800/91

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the Dacorum Borough Council to refuse planning permission for the erection of 3 detached houses and alterations to access on land at 'Hazel End', Redbourn Road, Hemel Hempstead. I have considered the written representations made by you and by the Council and also those made by interested persons. I have also considered those representations made directly by interested persons to the Council which have been forwarded to me. I inspected the site on 23 October 1991.

2. From my inspection of the site and its surroundings, and from the representations made, I consider that the main issues in this appeal are, firstly whether the proposed development would unacceptably harm the amenities enjoyed by residential occupiers, by reason of loss of privacy and increased activity, and, secondly, whether development in the form proposed would adversely affect the character of the area.

3. I saw that the appeal site is on the northern side of the busy Redbourn Road and comprises the major part of what was previously the side and rear garden of 'Hazel End' (previously 'Scrabo'), which is a semi-detached house. Immediately to the west of the site is a detached bungalow 'Catkins' beyond which are more bungalows. To the east of the site is the house 'Sedgemore' attached to 'Hazel End'. Beyond 'Sedgemore' is a bungalow and then pairs of semi-detached houses. All these properties have long back gardens. To the rear (north) of the site are playing fields with tennis courts. At the time of my visit all vegetation had been removed from the central part of the appeal site and the height of the tall hedgerow on its western boundary had been significantly reduced. The row of hawthorns towards the rear of the site had been trimmed back. 'Hazel End' was not fenced off from the appeal site.

4. One of the 3 proposed houses (Unit 1) would be constructed on the front part of the site, adjacent to 'Catkins'. The other 2 houses (Units 2 and 3), would be sited towards the rear of the site: the original intention was to locate the integral garages of these houses towards the centre of the plot, but in order to reduce over-looking from upstairs windows, amended plans were submitted to the Council proposing the location of the garages towards either side of the plot. Units 2 and 3 and the garage of Unit 1 would be served by an access passing between 'Hazel End' and Unit 1.



5. Units 1 and 2, and Unit 3 and 'Hazel End' would directly overlook each other, and as vegetation has been cleared from the site it would be some time before screening, on the limited space available for the purpose, could become sufficiently established to reduce to any significant extent mutual overlooking from first floor windows. A first floor bedroom window of Unit 2 would also obliquely overlook the back garden of 'Catkins', particularly now that the height of the hedge has been reduced, and to a lesser extent there would be overlooking of the back garden of the bungalow 'Lonsdale'. Similarly, Unit 3 would overlook the back garden of 'Sedgemore' and to a lesser extent, that of 'Kinsmead'. The back garden of 'Catkins' would also be overlooked by the rear first floor windows of Unit 1. The movement of vehicles along the proposed access passing between 'Hazel End' and Unit 1 would, in my opinion, be particularly disturbing to the occupants of Unit 1, since the access would be close to its flank wall, and to its study, kitchen and 2 bedrooms. As the garages to the proposed houses would be located towards the sides of the site, this would result in the noise and activity associated with vehicle movements being spread to the edges of the site, thus, in my view, interfering with the residents' enjoyment of the adjoining back gardens which are at present relatively quiet and shielded from traffic noise. I consider that this would be particularly serious in the case of 'Catkins', which would have 2 garages sited close to its boundary. I conclude that the proposal would harm the amenities enjoyed by present and prospective residential occupiers, through loss of privacy in the case of existing residents and lack of adequate privacy in the case of prospective occupiers, and through increased activity causing disturbance.

6. You refer to development carried out by the Borough Council on land fronting Redbourn Road, with access from St Agnells Lane, but the Council submit that that is a comprehensive scheme not giving rise to scattered, piecemeal developments. The dwellings in that development (St Agnells Court) are set further within their site than the houses you propose on the appeal site, and space has been left within the site for the provision of adequate screening. Overlooking of houses and gardens along Redbourn Road is, in my opinion, a less serious problem in the case of that development than it would be in the case of the proposed development of the appeal site. The access to St Agnells Court has, in my judgement, adversely affected adjacent properties fronting St Agnells Lane, but I do not consider that that justifies damaging residential amenities by constructing a widened access to the appeal site from the busier Redbourn Road.

7. Between St Agnells Court and the vehicular entrance to the playing fields there is no backland development behind the dwellings fronting Redbourn Road. The 'tandem' development which you propose would, in my opinion, be out of keeping with the form and character of the existing development, and if the scheme were permitted it would be difficult for the Council to resist similar proposals, which cumulatively would be seriously damaging to the appearance and character of the area. You contend that the development would be unlikely to create a precedent, but I note that an application was submitted to the Council for flats to the rear of a property further east along Redbourn Road, and it seems to me that there would be scope for the formation of backland plots similar to the rear part of the appeal site by, for example, the demolition of garages between dwellings. I conclude that development in the form proposed would adversely affect the character of the area.

8. I have taken account of all the other matters referred to in the written representations, but they do not affect my conclusions on the planning considerations leading to my decision.

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

I am Gentlemen  
Your obedient Servant

A handwritten signature in dark ink, appearing to read 'N. Thompson', with a long, sweeping horizontal stroke extending to the right.

N THOMPSON  
Inspector