

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

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Dr & Mrs Rennie  
33 Shrublands Road  
Berkhamsted

Foster & Emery  
29 High Street  
Hemel Hempstead.

Bungalow
at Adj. 33 Shrublands Road, Berkhamsted

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  
15th June 1984 ..... and received with sufficient particulars on  
20th June 1984 ..... and shown on the plan(s) accompanying such application.

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

This part of Shrublands Road is characterized by large detached houses set in mature gardens. The proposed bungalow situated on a narrow plot between houses would appear cramped and would detract from the pleasant appearance of the street.

Dated 18th ..... day of July ..... 19 84 .....

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**

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CHIEF EXECUTIVE  
OFFICER

9 MAY 1985

File Ref. ....  
Refer to *Q.P.O. 9/57* .....  
Cleared .....

Mr R Emery FRICS  
Foster and Emery  
29 High Street  
HEMEL HEMPSTEAD  
Hertfordshire  
HP1 3AA

*[Handwritten signatures and initials]*  
*WJ TAM 2*

Your reference <i>RE/JNF/996</i>				
PLANNING DEPARTMENT				
DACORUM DISTRICT COUNCIL				
Our reference				
Ref.	T/APP/A1910/A/84/023457/P2			
C.P.C.	Date	D.P.	I.C.	Admin. File
		- 8 MAY 85		
Received <i>[Signature]</i> - 9 MAY 1985				
Comments				

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY DR IAN RENNIE AND MRS ELIZABETH RENNIE  
APPLICATION NO: 4/0830/84

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Dacorum District Council to refuse planning permission for the erection of a single storey detached dwelling adjacent to the existing house at 33 Shrublands Road, Berkhamsted. 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 10 April 1985.

2. From my inspection of the site and its surroundings and the representations made, I am of the opinion that the main issue is whether or not the proposal would constitute an over-intensive development of the site that would detract from the general appearance of the locality to an unacceptable extent.

3. Your clients' house No 33 is one of several substantial detached houses that were built along the south side of Shrublands Road between 1890's and 1920's. They have comparatively large gardens and stand back from the road on rising ground, looking northwards across the valley. On the north side of Shrublands Road, opposite the appeal site, there are a recreation ground and playing field. The area to the east towards the High Street and the centre of the town, consists mostly of small scale older properties, more densely developed. To the west there is a fairly large post-war council house estate.

4. Shrublands Road is a reasonably wide road, having a grass verge along its southern side. The front gardens are enclosed by fences or hedges and in most of them the planting is now quite thick. The road has a pleasant residential appearance and No 33 and the other older detached properties make a substantial contribution to its character.

5. This appeal proposal to erect a single storey detached dwelling adjacent to the existing house, on the east side, would involve the demolition of a modern single storey flat roofed extension, apparently a games room. The proposed bungalow would be L-shaped in plan and would be sited between the existing house and the side boundary with the adjoining house, No 31 Shrublands Road. There would be approximately 1 m (3 ft 3 ins) between the side wall and the boundary and about 5 m (16 ft) between the east facing side wall of the existing house, which contains a large bay window to the living room and the position indicated on the plans for the front entrance door to the new dwelling. The proposed accommodation would comprise a kitchen and a dining room/living room at the rear, with one bedroom at the

front and the bathroom being the only room with a window on the east side. The bungalow would be built in brick and have a pitched roof covered with plain tiles.

6. Having seen the site I am satisfied that the proposed development would have no significant effect on the residential amenities at present enjoyed by the occupants of the neighbouring property to the east, a fact that is confirmed by their letter dated 12 January 1985. I am concerned however, that while the close proximity of the proposed new dwelling to the existing house would be no disadvantage while both were occupied in the manner proposed by your clients, there would be possible conflict of interest, lack of privacy and disturbance if occupied independently of each other, which I consider would be unsatisfactory.

7. In my opinion the proposed bungalow would be so out of scale with the large houses on either side, that it would look incongruous and unduly cramped on a plot of inadequate width. I am convinced that this would have a serious effect on the street scene and that there would be a loss of visual amenity, although I accept that the existing planting in the front garden would provide some screening to a limited extent.

8. Whereas I have sympathy with your clients wishing to provide a dwelling for their elderly relatives, I am not persuaded that this is sufficient reason to override the planning objections to the method of providing this additional accommodation, in the plan submitted with the application before me.

9. I have taken account of all the other matters raised in the representations, but I am satisfied that they are outweighed by the considerations that led me to my decision.

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

I am Sir  
Your obedient Servant

*Helen Grogan*

MRS H GROGAN DipArch Architect/  
Inspector