

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



## DACORUM BOROUGH COUNCIL

To Mr G Shiells  
61 Ridge Lea  
Hemel Hempstead  
Herts

Mr A Meikle  
41 The Crescent  
Abbots Langley  
Herts

.....Two storey side/rear extension and formation of.....  
.....4 flats.....  
at...33 Cornerhall Avenue, 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 .....3. May. 1988..... and received with sufficient particulars on .....9. May. 1988..... 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 development, due to its height, mass and design, is unsympathetic to the character of adjacent and nearby development and by reason of its prominent location would be detrimental to the amenities of surrounding properties and the environment of the locality.

Dated .....23..... day of .....June..... 19 88

Signed.....

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.

23 JUN 1988

**4/0844/88. TWO STOREY SIDE/REAR EXTENSION AND FORMATION OF 4 FLATS.  
33 CORNERHALL AVENUE, HEMEL HEMPSTEAD.  
APPLICANT: MR G SHIELLS**

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DESCRIPTION - The existing dwelling is one of a pair of semi-detached houses situated on a corner of Cornerhall Avenue. The road slopes upwards from north-west to south-east and the garden of the house rises from the front to the rear. This means that the house is set at a significantly higher level than the footpath and the front door is reached via a short flight of steps.

The applicant proposes the erection of a two storey side extension and the conversion of the existing house to provide 4 one-bedroom flats. Parking for 5 vehicles is proposed at the front of the site. This complies with the District Plan requirement.

#### POLICIES

##### **Hertfordshire County Structure Plan**

Policies 11A 11B and 11D

##### **Dacorum District Plan**

Within the Urban Area; Policies 18, 19, 62 and 66

#### REPRESENTATIONS

##### **Director of Housing and Health**

A condition shall be attached requiring an approved scheme of sound insulation between the flats to be implemented before occupation.

CONSIDERATIONS - Policy 62 of the District Plan encourages the provision of small dwellings, however, that policy also requires the development to accord with the provision of Policies 18, 19 and 66 relating to environmental design guidelines. In this case I am concerned that the proposals would not be in accordance with those guidelines. In particular, the proposed extension will more than double the width of the original house and would, in my opinion, produce a building of excessive bulk out of character in the street scene (despite the extension being set back from the front elevation).

Furthermore, the provision of a hardstanding on the frontage involves excavation of the garden below ground floor level thereby increasing the apparent height and bulk of the building. The provision of a parking area for 5 vehicles may also be considered unattractive in this prominent location, the site is close to a bend and the Director of Technical Services may express his views on this aspect.

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

The proposed development, due to its height, mass and design, is unsympathetic to the character of adjacent and nearby development and by reason of its prominent location would be detrimental to the amenities of surrounding properties and the environment of the locality.

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