



Department of the Environment

Room 1209

Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218800

Switchboard 0272-218811

GTN 2074

CHIEF VE

22 DEC 1980

 DTS
 Refer to
 Created

Messrs Stimpson, Lock and Vince
 9 Station Road
 WATFORD
 Hertfordshire
 WD1 1DY

TECHNICAL SERVICES DEPT.	
PLANNING SECTION	
22 DEC 1980	
FILE No.	DATE

Your reference

RJB/DWK/RG/HJL

Our reference

T/APP/5252/A/80/10591/G10

Date

19 DEC 1980

Gentlemen

OPEN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
 APPEAL BY MRS M J HAZELL
 APPLICATION NO:- 4/0847/80

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the erection of 2 detached dwellings on land to the rear of 'Felden Heath', Sheethanger Lane, Hemel Hempstead. 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 Tuesday 25 November 1980.
2. From the representations made I consider the main issue in this case is whether your proposed development would adversely affect the character of the Felden area. A further consideration is whether the amount of space and degree of screening would be sufficient to maintain the high standards of amenity prevalent in the locality.
3. From my inspection of the site and its immediate surroundings I note that the land slopes down to the north and the views offered by the local topography are an important asset of the area. I also note that extensive mature planting and an abundance of large trees are features of the landscape. These will remain unaffected by your proposal.
4. The development you propose takes advantage of a considerable amount of existing screening and the sites are comparable in size with others in the immediate locality. For these reasons in my opinion the development you propose will not be detrimental to the amenity of the adjoining properties or to the character of the Felden area.
5. The sites are also large enough to allow for supplemental tree planting to enhance the privacy of the new dwellings and to compensate for additional development.
6. A further important factor is the standard of the access and I consider that in this case the spacious entrance drive which is to be allocated to the properties will overcome any allusion to backland development.
7. If the proposed dwellings were to be constructed in materials which blend with the character of the area, such as Bovingdon or Chesham multi facing bricks, I would find your proposal wholly acceptable.

8. I have taken into account all the other issues raised but do not find them sufficient to outweigh the considerations which have led to my decision.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the erection of 2 dwellings on land to the rear of 'Felden Heath', Sheethanger Lane, Hemel Hempstead in accordance with the terms of the application (No 4/0847/80) dated 7 May 1980 (revised 23 May 1980) and the plans submitted therewith, subject to the following conditions:

1. a. approval of the details of the siting, design, external appearance of the buildings and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the local planning authority;
b. application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this letter;
2. the development hereby permitted shall be begun on or before whichever is the later of the following dates:
 - a. 5 years from the date of this letter; or
 - b. the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter approved.

10. Attention is drawn to the fact that an applicant for approval of the reserved matters referred to in this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

11. 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

Ann R Bridger

ANN R BRIDGER BA Hons Arch DipUD MA
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Mrs. M.J. Hazell,
Felden Heath,
Sheethanger Lane,
Felden,
Hemel Hempstead,
Herts.

Messrs. Stimpson, Lock & Vince,
9 Station Road,
Watford,
Herts.

..... Two dwellings. (OUTLINE)

at rear of "Felden Heath", Sheethanger Lane,

..... 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 ... 8th May, 1980 ... and received with sufficient particulars on ... 23rd May, 1980 (*4 as revised 3/7/80*) ... 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 development proposed would affect adversely the character of the Felden area generally.
2. The form of layout proposed would result in 'tandem' development to the detriment of the amenities of the occupants of both existing and proposed dwellings.

Dated 10th day of July 19 80

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.