

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Mr. V.M. Shorrocks
12 Fox Close
Wigginton, Nr. Tring

Brown & Merry,
41 High Street,
Tring, Herts.

..... Two storey rear and single storey front
..... extension
.....
at ... 12 Fox Close, Wigginton.....
.....

Brief
description
and location
of proposed
development.

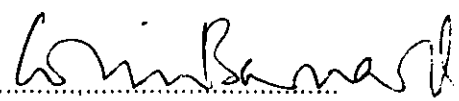
In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 5th July 1983 and received with sufficient particulars on 7th July 1983 and shown on the plan(s) accompanying such application..

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

The proposed extension, by reason of its height and rearward projection would be detrimental to the residential amenity of the adjoining property.

Dated 1st day of September 19 83...

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

Common Services

Room 1420 Tollgate House Houlton Street Bristol BS2 9 DJ

Telex 449321

10272

CHIEF EXECUTIVE
OFFICER

21 AUG 1984

File Ref.
Refer to *QPO 218*
Cleared

PLANNING DEPARTMENT		Direct line 0272-218 927
DACORUM DISTRICT COUNCIL		Switchboard 0272-218811

Dr V M Shorrocks
12 Fox Close
Wiggington
TRING
Herts
HP23 6ED

Ref.		Ack.		File Your reference	Our reference
C.P.O.	D.P.	C.	Admin.		
Received <i>[initials]</i> 21 AUG 1984				T/APP/A1910/A/84/12284/PA	
Comments				Date <i>20 AUG 1984</i>	

JVB
2) *[initials]*
3) *[initials]*
4) *Team 2*

Return to Mr. Belandier
20 AUG 1984
[Signature]

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO: 4/0887/83

1. As you know, I have been appointed by the Secretary of State for the Environment to determine your appeal against the decision of the Dacorum District Council to refuse planning permission for the erection of a 2-storey rear extension and a single storey front extension at 12 Fox Close, Wiggington. I have considered the written representations made by you, by the council and the parish council and by other interested persons. I inspected the site on 22 May 1984.

2. The appeal property is one of about 14 chalet bungalows served by Fox Close. It is set back from the properties on either side by about 20 ft. The proposed rear addition would extend the northern flank of the property rearwards by about a further 12 ft. This side of the dwelling is about 10 ft from the flank wall of 13 Fox Close. About mid way between these 2 properties there is a close boarded fence about 5 ft high as well as various shrubs and bushes growing to between 6 ft and 10 ft high. To the rear of the neighbouring property, 13 Fox Close, there is a patio extending the full width of the dwelling onto which living areas face.

3. The front addition extends the garage by about 4 ft 6 ins so that its front would be in line with the front elevation of 11 Fox Close. Neither the council nor any of the interested persons have objected to this.

4. I therefore consider, from my inspection of the property and the surrounding area, and from the written representations made, that the determining issue in this case is whether the size and siting of the proposed extension would unacceptably reduce the amount of sunlight and daylight enjoyed by the occupiers of the adjacent property, 13 Fox Close

5. The design of the extension, with the first floor being set within the roof space, means that the highest part of the extension would be about 16 ft from the side boundary. However, the height of the proposed extension, even this far away from the boundary, would be such as to cast a shadow on the patio and rear of the adjoining property at certain times. Because of the height of the shrubs and bushes on and near the boundary, and the orientation of the properties, the times when some degree of overshadowing would occur would be restricted to early afternoons in the winter months when the sun is low. In summer afternoons the shadow of the proposed extension would largely be cast onto the fence and vegetation next to it. In these months the proposal would not significantly affect sunlight reaching the rear of the neighbouring house.

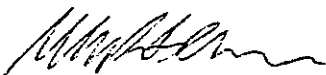
6. Although the situation would be different if the planting were removed, I consider this not only to be unlikely, but even if it were removed, I feel that the extension would not cause undue loss of sunlight to the property as a whole, bearing in mind the width of the plot on which it is located and its aspect. For these reasons also I do not consider that there would be any significant loss of daylight to 13 Fox Close.

7. I have taken into account all the other matters raised in the representations, but I am of the opinion that they are insufficient to outweigh the considerations that have led me to my decision. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the erection of a 2-storey rear extension and a single storey front extension at 12 Fox Close, Wiggington in accordance with the terms of the application (No 4/0887/83) dated 5 July 1983 and the plans submitted therewith, subject to the following condition:

The development hereby permitted shall be begun on or before 5 years from the date of this letter.

8. 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 Sir
Your obedient Servant



M G ROBESON, BA MRTPI ARICS
Inspector