



Department of the Environment and Department of Transport

Common Services

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 DACORUM DISTRICT COUNCIL GTN 2074

CHIEF EXECUTIVE

2 DEC 1986

C/O 22/12

Mr J G Lewis
 117 Chambersbury Lane
 HEMEL HEMPSTEAD
 Herts
 HP3 8BE

Ref.				Ack.		Your reference	
C.P.O.	D.P.	D.C.	B.C.	Admin.	File	Our reference	
Received				22 DEC 1986		Date	
Comments							

T/APP/A1910/A/86/55550/P4

19 DEC 86

4) TEAM T.

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
 APPEAL BY MR AND MRS LLOYD
 APPLICATION NO: 4/0904/86

- As you are aware 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 Borough Council to refuse planning permission for a 2 storey side extension and porch at 21 Youngfield Road, Hemel Hempstead, Herts. I have considered the written representations made by you and by the council. I visited the site on Monday 1 December 1986.
- From my visit and from the representations made, I consider the main issue to be decided is whether the development proposed would be unduly harmful to the character and visual amenity of the surrounding area.
- The appeal premises is a 2 storey end of terrace house at the junction of Youngfield Road and Roseheath and lies within predominantly residential surroundings.
- In support of this appeal you argue that the design of this extension and its location within the site would have no detrimental effect on the visual appearance of the area. Other similar extensions you say, have been permitted nearby.
- The council consider that, whilst not objecting to the new porch, the extension proposed would represent a serious breach of the building line, be out of keeping with the general spacing of buildings and unduly prominent in the street scene.
- The existing residential development in the vicinity of the appeal property is mainly set well back from the highway and provides an open and generally pleasant appearance to this part of the estate. Having visited the site however, I have to support the view of the council that your client's proposal, resulting in a 2 storey building within a meter or so of the northern boundary, would be unduly intrusive when seen from Roseheath and out of keeping with the general form and character of this part of the estate.
- I have concluded therefore that notwithstanding the design merits of the proposal, an extension in this location of the size proposed, would be prominent and harmful to the visual amenities of Roseheath and notwithstanding the normal presumption in favour of development, should not be permitted.
- Your comments concerning an extension to a dwelling at the southern end of Youngfield Road have also been noted. Nevertheless I do not consider the visual impact in that instance to be serious or that it provides a sufficient reason to justify deciding this appeal on other than individual merit.

9. I have taken account of all the other matters raised but they are not of sufficient weight to alter 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

A handwritten signature in dark ink, appearing to read 'G S Webb', with a long, sweeping flourish extending from the end.

G S WEBB CEng MICE
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

DACORUM BOROUGH COUNCIL

To Mr & Mrs Lloyd
21 Youngfield Road
Hemel Hempstead
Herts HP1 2LY

Mr J G Lewis
117 Chambersbury Lane
Hemel Hempstead
Herts HP3 8BE

..... Two storey side extension and porch

.....

at 21 Youngfield Road

..... 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 23.6.86 and received with sufficient particulars on 24.6.86 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 and design is unsympathetic to the character of existing adjacent dwellings and by reason of its location would be detrimental to the amenities of surrounding properties.

Dated 19th day of

August 19 86

Signed

Chief Planning Officer

SEE NOTES OVERLEAF

P/D.15

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.