

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Lance A.W. Kent, Esq.,
34 Alexandra Road,
Hemel Hempstead,
Herts.

Lance Kent & Co.,
104 High Street
Chesham
Bucks. HP5 1EG

First floor side and two storey rear extension
.....
..... and use of first floor for offices
at 34 Alexandra Road, Hemel Hempstead, Herts.
.....

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-
..... undated and received with sufficient particulars on
..... 17 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:-

1. The proposed development is contrary to Policy 53 of the Dacorum District Plan which states that planning permission for new offices, extensions to existing offices or changes of use of existing buildings to offices will normally only be granted where the proposal is located within the Commercial Area of the town centre of Hemel Hempstead, Berkhamsted and Tring, as defined on the Proposals Map. The introduction of office development onto this site would not be in keeping with the primarily residential nature of surrounding properties, and would have a detrimental effect on the amenities and privacy at present enjoyed by occupants of adjacent dwellings.
2. Access to the proposed development is inadequate and unsuitable for the additional traffic which would be generated.

Dated 11th day of ... August 19 88

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, Moulton 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.

4/0937/88. FIRST FLOOR SIDE AND TWO STOREY REAR EXTENSION AND USE OF FIRST FLOOR FOR OFFICES.

34 ALEXANDRA ROAD, HEMEL HEMPSTEAD.

APPLICANT: MR L A W KENT

DESCRIPTION - The application site comprises a substantial two storey dwelling with rooms in the roof; there is also a single storey extension attached to the side of the house. The applicant is a solicitor who undertakes some work from home but wishes to expand the practice in Hemel Hempstead. To this end he proposes constructing a completely independent office unit (approximately 66 sq m in floorspace) above the existing single storey extension. The application proposes a total of five parking spaces on part of the garden to the rear of the house and two spaces at the front, and this more than meets the District Plan requirement.

POLICIES

Hertfordshire County Structure 1986 Review

Policy 65

Dacorum District Plan

Policies 18, 19, 53 and 67

REPRESENTATIONS

Director of Technical Services

Observations awaited

Director of Housing and Health

Observations awaited

CONSIDERATIONS - Alexandra Road lies close to the town centre but is outside the Commercial Area as defined in the Dacorum District Plan. The proposal is therefore contrary to Policy 53 of the District Plan which aims to restrict office development to the defined Commercial Area. Although the proposal is of a relatively small scale, it would nevertheless result in a completely independent office unit and precedent for similar proposals. Indeed, Alexandra Road is now experiencing considerable pressure for office development (see 4/1088/88 on page) and I consider that such proposals should be resisted in order to protect the character and amenities of this residential area.

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

1. The proposed development is contrary to Policy 53 of the Dacorum District Plan which states that planning permission for new offices, extensions to existing offices or changes of use of existing buildings to offices will normally only be granted where the proposal is located within the Commercial Area of the town centre of Hemel Hempstead, Berkhamsted and Tring, as defined on the Proposals Map. The introduction of office development onto this site would not be in keeping with the primarily residential

nature of surrounding properties, and would have a detrimental effect on the amenities and privacy at present enjoyed by occupants of adjacent dwellings.

2. Access ^{*}adequate^{*} for dev. ^{*}proposed^{*} .