

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

Other  
Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To W. Sharpley, Esq.,  
65 Cambrian Way,  
HEMEL HEMPSTEAD,  
Herts.A. J. F. Smith, Esq.,  
4 Robbs Close, Robbs  
HEMEL HEMPSTEAD,  
Herts.

Use of land as part of residential garden, erection  
of garage and formation of access and driveway,  
at Land adjacent to 65 Cambrian Way, Hemel Hempstead.

Brief  
description  
and location  
of proposed  
development.

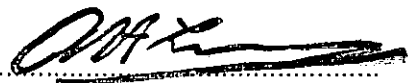
In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 24th June, 1980, and received with sufficient particulars on 9th July, 1980 (as amended 19th August, 1980) 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 enclosure and use as garden land would reduce the existing area of amenity green and have an adverse effect on the environmental character of the area.

Dated 21st day of August, 1980.

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.



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PLANNING DEPARTMENT DACORUM DISTRICT COUNCIL				
Ref.		Ack.		
C.P.O.	D.P.	C.S.	Admin.	File
Received 16 APR 1981				
Comments				

Your reference

Our reference

T/APP/5252/A/80/14128 /G7

Date

15 APR 1981

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MR W SHARPLEY  
APPLICATION NO:- 4/1047/80

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 a garage, the formation of a new crossover and hardstanding on land adjacent to 65 Cambrian Way, Hemel Hempstead. I have considered the written representations made by you and by the council. I inspected the site on 24 February 1981.
2. From my inspection of the site and surrounding area and the representations made I consider that the important issues are whether vehicular access should be permitted from the appeal site to Cambrian Way and whether the proposed development would be detrimental to the amenity of the area.
3. The appeal site is a small part of a triangular shaped amenity open space which adjoins No 65 Cambrian Way. There are a number of trees on the amenity open space.
4. Cambrian Way is at present an estate road which does not carry a large volume of traffic. According to the Council it will become a distributor road within a few years as a result of the construction of the East-West Link Road which will cross Cambrian Way at a roundabout a short distance north of the appeal site. I note that at present vehicular access to Cambrian Way is limited to a number of access roads. Car storage is provided in group garages which have access to minor roads. Although there are a number of parking bays at the side of Cambrian Way there is at present no direct vehicular access from houses to this estate road. In view of the imminent construction of the East-West Link Road and the raising of the status of Cambrian Way to a distributor road which will carry a greater volume of traffic, I consider it would be unwise to introduce individual and private vehicular accesses to this road, because of the danger involved.
5. An individual garage in the position proposed would in my view be detrimental to the amenity of the area because the amenity open space, which has a number of trees on it, is a pleasant feature in the street scene.

6. I am disturbed that your client should have been put to the trouble and expense of acquiring a piece of land from the Council only to find that he is unable to carry out the development for which he acquired the land, and I agree with you that a more co-ordinated approach is required in the future.

7. I have taken into account all the other matters raised in the representations but I do not find them of such strength as to affect my decision and for the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this / appeal.

I am Sir  
Your obedient Servant



BETTY TREVENA MDesSt DiptP FRTPI FRAP  
Inspector