

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM  
IN THE COUNTY OF HERTFORD

To Mr. E. A. Blesson,  
98 Green Lane,  
Bovingdon

Double garage
at 98 Green Lane, Bovingdon

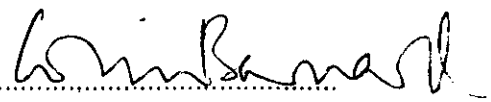
Brief  
description  
and location  
of proposed  
development.

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 August 1984 and received with sufficient particulars on 10th August 1984 and shown on the plan(s) accompanying such application.

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

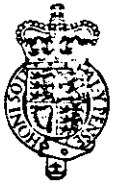
The erection of a garage in such a prominent position in front of the established building line will give rise to conditions detrimental to the amenities of adjoining properties and the street scene in general.

Dated 10th day of October 1984

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

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13876

CHIEF EXECUTIVE  
OFFICER

7 JUN 1985

File .....  
R. *elo* *26/6*  
C. ....

E A Blesson Esq  
98 Green Lane  
BOVINGDON  
Herts  
HP3 0LA

*1) MRS*  
*2) JEB*  
*3) JOHNSON*  
*4) J. P. A. M. I.*  
*5) J. P. A. M. I.*

Your reference					
ANNING DEPARTMENT DACORUM DISTRICT COUNCIL					
Our reference				Ack.	
Ref. T/APP/A1910/A/84/24480/P4				P4	
C.P.	Date	D.P.	D.C.	B.C.	Admin. File
				25 JUN 1985	
Received				26 JUN 1985	
Comments					

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPLICATION NO:- 4/1096/84

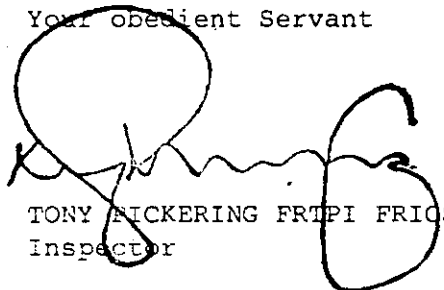
- As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. Your appeal is against the decision of Dacorum District Council to refuse planning permission for the erection of a double garage at 98 Green Lane, Bovington. I have considered the representations made by you and by the council together with those from a number of interested persons including Bovington Parish Council. I inspected the site on Wednesday 1 May 1985.
- From my inspection and my consideration of the representations I take the view that this case turns on whether the proposal would adversely affect the appearance of the surroundings and the residential amenity of nearby dwellings, or have the propensity to do so in the absence of satisfactory site screening.
- The appeal site is the curtilage of a bungalow which is itself part of an attractive roadside development of modern houses and bungalows. To the left of the site are 4 bungalows and towards the village centre a line of larger houses. No. 98 is distinguished in this setting by having its front garden almost completely surrounded by a screen of conifers up to about 3.5 m high. Contrary to what the council says the trees on the south-western side do appear to be within your garden. There are 1 or 2 gaps between the trees along the highway boundary and new trees have been planted in these spaces and have now grown to about 1.5 m or so. The dwellings left and right have some ornamental planting in their plots but they are to all intents and purposes open plan in their frontages with no significant boundary hedges or enclosures.
- By contrast the gardens of the bungalows on the other side of the road are, with one noticeable exception opposite your home, enclosed by established hedges and there is much more planting between these and the properties. They are also set back considerably further from the road with a deep grass verge. Because of this set back and the garden hedges, shrubs and trees, the garages built in front of Nos 73 and 75 Green Lane, to which you have specifically drawn my attention, are not obtrusive in the roadside picture.
- The high and dense planting around your own front garden, which is partly grassed and partly a crazy paved hardstanding, would mean that although the proposed garage would stand in front of the building line of the bungalow, slightly higher than the conifers, it would not be any more conspicuous than those opposite. No doubt a glimpse could be obtained of the structure through the access opening but it would be observed against the backcloth of the dwelling and in my view it

would not be as prominent as the council suggests. However, those conditions would prevail only while the front garden remains as well screened as it is at the moment. I am quite sure it is your intention to conserve the cupressus planting and the trees are not yet mature. Nevertheless this side of Green Lane in the locality of your home is profoundly different to the traditional enclosed form of the properties on the opposite side of the road, and no 98 itself with its surrounding screening is noticeably dissimilar to the other homes on the same side which have open plan front gardens and shaven lawns and only limited garden trees. The garage building would be a permanent feature and if it were to become exposed by removal of the trees, whether by accident or design, it would be a particularly incongruous building at odds with its neighbours and in my view seriously detrimental to the pleasant repose and appearance of its surroundings. Because the garden screening is so uncharacteristic of the other properties and because such dense planting around a relatively small garden might not commend itself to any future occupier, I consider it imprudent to assume that the trees would not be removed or that their well-being can be confidently assured beyond the prospective life of the garage. The property has the advantage of an attached garage already and there is reasonable space for additional parking in the drive. I conclude it would not be right in the circumstances I have described above to grant planning permission for development which could give rise to considerable visual damage.

6. I have taken into account all the other matters that have been raised in the representations but find none of these to be of such strength as to outweigh the considerations that have led to my decision.

7. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir  
Your obedient Servant



TONY PICKERING FRIP FRICS  
Inspector