

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr. G. Shiells
61 Ridge Lea
Hemel Hempstead
Herts.

Mr. A. Meikle
41 The Crescent
Abbots Langley
Herts.

Conversion of house to 2 one bedroom flats and
two storey side/rear extension to form dwelling
at 128 Windmill 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 1 June 1988 and received with sufficient particulars on 20 June 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. Access to the proposed development is inadequate and unsuitable for the additional traffic which would be generated.
2. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.
3. The proposed development, which is excessive on this site, would have a seriously detrimental effect on the amenities at present enjoyed by occupants of adjacent dwellings and would, if permitted, prove injurious to the general character and amenity of the area.

Dated 11th day of August 1988

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.

if a number of simple internal alterations were to be carried out. For example, although the proposed new dwellinghouse includes a first floor bedroom and kitchen, it would be possible to redesign the internal layout to provide a kitchen on the ground floor thereby creating another bedroom, and the ground floor flat has a 'store' which although small could also be used as a bedroom. In effect, there is no real difference between the current application and that previously refused. It should also be pointed out that the dwellinghouse would have no private garden area of its own, and much of the rear garden area would be taken up with vehicular access, parking and turning space.

✓ RECOMMENDATION - That planning permission be REFUSED (on form DC4) for the following reasons:

1. Access to the proposed development is inadequate and unsuitable for the additional traffic which would be generated.
2. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.
3. The proposed development, which is excessive on this site, would have a seriously detrimental effect on the amenities at present enjoyed by occupants of adjacent dwellings and would, if permitted, prove injurious to the general character and amenity of the area.

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