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Ack.

Admin.

Your reference

Our reference

T/APP/A1910/A/85/027269/P2

Date

-3 JUL 85

5 JUL 85

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MORRITT HOMES LTD.
APPLICATION NO:- 4/1180/84

1. As you know 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 the erection of 15 flats for elderly people on land at rear of 23-25 The Queensway, Hemel Hempstead. I have considered the written representations made by you and by the council and also those made by other parties. I inspected the site on 17 June 1985.
2. The original application was for 7 one bedroom and 8 two bedroom flats for elderly persons. Before this application was considered by the council this was amended to 15 one bedroom flats as well as a day room, warden's office and communal kitchen. The parking provision for cars was also amended and was increased from 6 to 8.
3. From the representations and my observations at the site I consider that the main issue is the suitability of this site for these proposals bearing in mind their scale, the visual effect upon the park and the means of vehicular and pedestrian access.
4. The position of the site and its relationship to other facilities are exceptional. It is adjacent to and overlooks the funnel of land that leads from the entrance in the town to the large public park and is immediately to the rear of the High Street at the point where it begins to climb the side of the valley. It has immediate access to the new day centre for the elderly, the recreational facilities of the park and the walled flower garden as well as the shopping facilities of the town. As it is at present the temporary buildings on the site and the untidy rear view of buildings on the High Street detract from the visual amenities of the park and the Conservation Area as a whole. The site is allocated for commercial use in the District Plan but it would be eminently suitable for the type of residential use proposed.
5. It is a small site but with the availability of these other facilities this is not such a disadvantage as to warrant the dismissal of this appeal. Its clearance and the erection of a sympathetically designed building almost along the boundary between town and park would be of positive benefit to the appearance of the area. There may be alternative methods of layout but in my view the height, scale and position of the proposals would not amount to an over-development of the site but would be appropriate to this urban setting as would the varied roof line. It would not dominate but would help to enclose the small area of park at the entrance and this would be in contrast to the wider park beyond. This variety in

scale and in the enclosure of space would emphasise and improve the relationship between the park and the town. The orientation of the building is ideal with the long residential elevation facing westward across the valley and the small garden area facing southward, even though this would be surrounded by boundary walls and other buildings.

6. The question of the safety of the access is important but for the following reasons I have come to the conclusion that it is acceptable and within the character of an older town centre such as this. The amount of traffic would be limited and few other users are involved. The increase in use would be partly balanced by the loss of traffic to the industrial premises that are to be replaced. The lane is short and of reasonable width and you are providing adequate parking and turning facilities so at no time should there be a need for traffic to reverse out onto the High Street. I have also taken into account that the access has been in use for many years and that the pavements along High Street are wide and the road straight so that vision for emerging drivers although limited is adequate. In addition to which no parking is allowed on either side of the street and, because of the hill, traffic on the near side is likely to be moving slowly.

7. In reaching these conclusions I have also taken into account the advice in Circular 22/80 concerning questions of design and that in Circular 15/84 concerning the need to ensure the full and effective use of land within existing urban areas.

8. I have had regard to all the other matters referred to in the representations but do not find them of sufficient importance to outweigh the considerations that have led me to these conclusions.

9. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the erection of 15 flats for elderly people on land at rear of 23-25 The Queensway, Hemel Hempstead in accordance with the terms of the application (No. 4/1180/84) dated 29 August 1984 and the plans submitted therewith, subject to the condition that the development hereby permitted shall be begun not later than 5 years from the date of this letter.

10. The developer's attention is also drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970.

11. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971. Your attention is drawn to the provision of section 277A of the Town and Country Planning Act 1971 (inserted into the Act by the Town and Country Amenities Act 1974) as amended by paragraph 26(2) of Schedule 15 of the Local Government Planning and Land Act 1980 which requires consent to be obtained prior to the demolition of any building in a conservation area.

I am Gentlemen
Your obedient Servant



J R COWARD MCD BArch RIBA
Inspector