

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Hertfordshire County Council
County Hall
Hertford
SG13 8DN

Residential development and access road

at Land rear of Westray, Manan Close and Lismore,
(North End Farm), 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 permit, in accordance with the provisions of Article 5(2) of the Town and Country Planning General Development Order, 1977, as amended, the development proposed by you in your outline application dated 20 June 1988 and received with sufficient particulars on 22 June 1988 and shown on the plan(s) accompanying such application, subject to the following conditions:-

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, layout, design, landscaping and external appearance of the building(s) and the means of access thereto which shall have been approved by the local planning authority, before any development is commenced.
- 2 (a) Application for approval in respect of all matters reserved in Condition 1 above shall be made to the local planning authority within a period of . 3 . years commencing on the date of this notice.
(b) The development to which this permission relates shall be begun by not later than whichever is the later of the following dates:-
 - (i) the expiration of a period of . 5 . years, commencing on the date of this notice.
 - (ii) the expiration of a period of . 2 . years commencing on the date upon which final approval is given by the local planning authority or by the Secretary of State or, in the case of approval given on different dates, the final approval of the last such matter to be approved by the local planning authority or by the Secretary of State.
- 3 Sight lines of 4.5 m x 70 m shall be provided in each direction within which there shall be no obstruction to visibility between 600 mm and 2.0 m above carriageway level.
- 4 The road(s) hereby permitted shall be constructed in accordance with the specification of the Hertfordshire County Council set out in "Residential Roads in Hertfordshire".

(Note: Full details of the road works proposed should be submitted to and approved by the local highway authority before any work is commenced on site)

- 5 No work shall be started on site until detailed proposals for vehicle parking within the curtilage of the site in accordance with standards specified in the adopted Dacorum District Plan shall have been submitted to and approved by the local planning authority.

The reasons for the local planning authority's decision to grant permission for the development subject to the above conditions are:-

1. To comply with the provisions of Regulation 5(2) of the Town and Country Planning General Development Order, 197~~7~~, as amended.
2. To comply with the requirements of Section 42 of the Town and Country Planning Act, 1971.
- 3 In the interests of highways safety.
- 4 To ensure the safe, economic, durable, attractive and proper development of the estate.
- 5 To ensure that vehicles may enter and leave the site in forward gear.

Dated Twenty-fifth day of ... August 19 88

Signed.....

Designation ..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 Department of the Environment, Caxton House, Tothill Street, London SW1H 9LZ.) 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 (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(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 Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, 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.

(a) The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.



DACORUM BOROUGH COUNCIL

Forest Services
376-278 North Circular Road
Palmers Green
To London

John Ward & Associates Ltd.
The Hollies
Naseby Road
Clipston
Market Harborough
Leics.

<p>Redevelopment of petrol filling station (scheme 2)</p> <p>.....</p> <p>at 487 - 489 London Road, Hemel Hempstead, Herts.</p> <p>.....</p>
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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 20 June 1988 and received with sufficient particulars on 22 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. The proposed demolition of No. 487 London Road in order to accommodate the various facilities on site would be injurious to the visual appearance of the street scene.
2. The proposed layout of the filling station and the inclusion of an automatic car wash facility in the proposed position would, by reason of noise and general disturbance, be seriously detrimental to the amenities currently enjoyed by residents of adjacent and nearby dwellings.
3. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.

Dated 11th day of August 19 88

Signed *William Barnard*

SEE NOTES OVERLEAF

P/D. 15

Chief Planning Officer

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.

2. A further extension of commercial premises in a mainly residential area, particularly as no other non-residential uses have been permitted.
3. Development will create additional traffic movements and noise, and will interfere with the traffic flow.
4. Potential safety hazard by the creation of extra traffic.
5. This part of the A41 is already overcrowded.
6. Parking to Hemel Hempstead Motors is already inadequate, and this development will worsen the situation.
7. Noise from the car wash
8. Reduction in property values

CONSIDERATIONS - Notwithstanding the alternative position of the sales building and modifications to the site egress, the considerations set out in respect of Scheme 1 apply equally to this application.

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

1. The proposed demolition of No. 487 London Road in order to accommodate the various facilities on site would be injurious to the visual appearance of the street scene.
2. The proposed layout of the filling station and the inclusion of an automatic car wash facility in the proposed position would, by reason of noise and general disturbance, be seriously detrimental to the amenities currently enjoyed by residents of adjacent and nearby dwellings.
3. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.

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