



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/1270/90

Jehovahs Witnessess
Kingdom Hall, Mayflower Ave,
Hemel Hempstead
Herts

Raymond P. Crosby
109 St. Agnells Lane
Hemel Hempstead
Herts
HP2 7BG

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

"Scrabo" Redbourn Road, Hemel Hempstead, Herts

RELIGIOUS MEETING HALL, PARKING AREA AND FORMATION OF VEHICULAR ACCESS (OUTLINE)

Your application for *full planning permission* dated 07.09.1990 and received on 07.09.1990 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning.

Date of Decision: 18.10.1990

(encs. Reasons and Notes)

REASONS FOR REFUSAL
OF APPLICATION: 4/1270/90

Date of Decision: 18.10.1990



1. The site is inappropriate for the accommodation of an assembly hall due to the adverse impact that its use would have upon the residential amenity of the locality by reason of noise and disturbance.
2. The application site does not abut highway land and on the basis of the information supplied the Local Planning Authority is of the opinion that the access as shown on the submitted plan cannot be formed between the site and the highway. Without such access the proposed development will lead to parking on the highway, a classified road (B487), to the detriment of the safety and free flow of traffic and pedestrians. In the opinion of the Local Planning Authority an appropriate condition cannot be imposed upon a planning permission requiring the provision of such access because the Local Planning Authority has no information as to whether there is a reasonable prospect of such access being provided.
3. The site is of inadequate size to satisfactorily accommodate the proposal in accordance with the Council's environmental standards for development taking into account the amount of car parking necessary to serve the proposal and the space available for satisfactory landscaping within the site without which the proposal would have an adverse effect on the amenity of nearby properties.



Planning Inspectorate

Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct Line 0272-218927

Switchboard 0272-218811

GIN 1374

PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL

Wyles & Co
Solicitors
40 Market Place
DEVIZES
Wiltshire
SN10 1JG

Ref.					Ack.	
C.P.O.	T.C.P.M.	D.P.	D.C.	B.C.	Admin.	File

Received

11 MAR 1991

Comments

Your reference:

PH/MH

Our reference:

T/APP/A1910/A/90/172197/P2

Date:

-8 MAR 91

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY THE TRUSTEES OF HEMEL HEMPSTEAD CONGREGATION OF JEHOVAH'S WITNESSES
APPLICATION NO 4/1270/90

1. I have been appointed by the Secretary of State for the Environment to determine the above appeal. This appeal is against the decision of the Dacorum Borough Council to refuse outline planning permission for the the erection of a religious meeting hall on land at "Scrabo", Redbourn Road, Hemel Hempstead. I have considered the written representations made by you, by the Council, and by interested persons. I have considered those representations made to Dacorum Borough Council when the matter was before them in the first place, and which have been copied to me. I inspected the site on 4 February 1991, but did not write this letter until the correspondence arising from the Council's statement appeared to be complete.

2. The plan which accompanies your clients' application is entitled "Scheme Layout" and includes considerable detail of their project. In particular, it shows the siting of the proposed building and specifies the plan area of its auditorium, it shows the proposed means of vehicular access thereto, plus the layout of 29 on-site car-parking spaces, plus the intended treatment of the site boundaries. I am treating all of those matters as part of the outline application and before me for decision.

3. The appeal site is at the northern side of the busy Redbourn Road and is the major part of the side/ rear garden to a semi-detached house. There is roadside housing to the east and west of the site. To the north are playing fields, and to the south across the road is a primarily commercial area with some housing. In these circumstances, I have identified the main issue in this appeal as the effect of your clients' project upon the residential amenities of those living nearby.

4. It seems that the effect of traffic using the busy Redbourn Road is to make the fronts of the housing alongside that road subject to a considerable level of noise and general disturbance. However, the backs of those houses together with their back gardens are much further from the source of the traffic noise, and are somewhat shielded from that noise by the roadside buildings. Hence, I deduce that in relative terms those backs and back gardens are oases of peace and quiet, and a valued amenity to those who live at the roadside houses. I regard this amenity as an interest of acknowledged importance.

5. Your clients propose the formation of a 28th space car-park at the back of the proposed meeting hall (the 29th space is at the front of the proposed building). It is a characteristic of a religious meeting hall that those attending arrive over a short period of time prior to the start of the meeting, and leave on mass at the end. Assuming that full use is made of this car-park, it seems that there would be considerable concentrated activity in the proposed car-park at various times of day.

6. In these circumstances, and making the assumption that those coming to and going from meetings do not behave in an unduly boisterous or disorderly manner, I assess that there would be times of concentrated noise and general disturbance coming from the proposed car-park: this noise and general disturbance arising from sources such as, people's voices, the closing of car doors, the starting and revving of car engines, and the manoeuvring of cars. I assess that this concentrated noise and disturbance would be enough to greatly reduce the amenity at the backs of the nearby houses, to the extent of causing demonstrable harm to that amenity. From the survey evidence gathered at the present Kingdom Hall, it seems that this level of noise and disturbance would occur on frequent occasions, including times late in the evening (times when local residents would most appreciate peace and quiet in their homes). I judge that the level of this harm, and the likely times and frequency of its occurrence as sufficient to warrant the dismissal of this appeal.

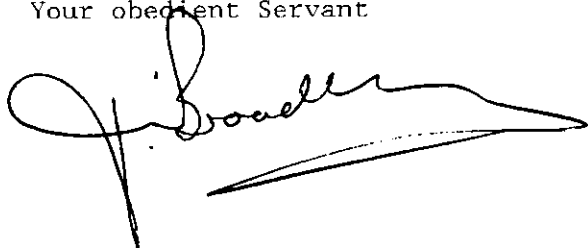
7. I bear in mind the normal minimum ceiling height in a religious meeting hall, the closeness of the proposed building to the flank wall of the adjoining "Catkins", and the distance from the front to the back walls of the proposed building. In these circumstances, it seems to me that this building would be high enough, and extend far enough backwards that it unduly dominates both the back-facing windows (in the oblique view) and the back garden of "Catkins". I regard this as a further example of demonstrable harm consequent upon your clients' project and as adding weight to the arguments against that project.

8. I have looked at the revised scheme attached to the Poulter & Francis letter of 30 January 1991, and see that this increases the number of spaces on the proposed car-park to 31. It seems that this would increase the consequential amount of noise and disturbance emanating from the proposed car-park thus producing a more severe effect upon the amenity at the backs of the nearby houses.

9. I have taken account of all the other matters raised in the written representations, including the question of whether your client controls enough land to form a means of vehicular access to the proposed car-park, and the many other matters (precedents and otherwise) mentioned in your letter of 15 February 1991. However, it seems to me that none of these matters go any way to reducing the harm identified above, and hence I find nothing sufficient to alter my decision that this appeal should be unsuccessful.

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

I am Gentlemen
Your obedient Servant

A handwritten signature in black ink, appearing to read 'J.D. Broadley', with a long horizontal flourish extending to the right.

J.D. BROADLEY BSc, MEng, CEng, MICE, MStructE.
Inspector.