

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

Other  
Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Whitbread London Limited,  
Park Street West,  
LUTON,  
Beds.Messrs. Briffa & Phillips,  
44 Holywell Hill,  
ST. ALBANS,  
Herts.

Single storey extension to public bar

at Tudor Rose Public House, Long Chaulden, 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 refuse the development proposed by you in your application dated 13th October, 1978, and received with sufficient particulars on 16th October, 1978, 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 development would affect adversely the residential amenity of the occupier of the immediately adjacent dwelling by reason of its siting and proportions.
2. The intensification of use which would result from the proposed development would affect adversely the amenity of the occupiers of surrounding dwellings.

Dated 16th day of November, 1978.

Signed



Designation Director of Technical Services.

## 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, Whitehall, London, S.W.1.) 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.

A/53/31.8



## Department of the Environment

Room 1308

Tollgate House Houlton Street Bristol BS2 9D.J

Telex 449321

TECHNICAL SERVICES DEPT.

PLANNING SECTION

19 SEP 1979

 Direct line 0272-218 856  
 Switchboard 0272-218811

DATE 0012

 Messrs Briffa and Phillips  
 44 Holywell Hill  
 ST ALBANS  
 Herts  
 AL1 1BX

 CHIEF EXECUTIVE  
 OFFICER

19 SEP 1979

File Ref. ....

Refer to ....

.....

 Your reference  
 GB/AMR/268

Our reference

T/APP/5252/A/79/5432/G8

Date

18 SEP 1979

Gentlemen

 TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
 APPEAL BY WHITBREAD LONDON LIMITED  
 APPLICATION NO. 4/1339/78

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the erection of a single-storey extension to the public bar of the Tudor Rose Public House, Long Chaulden, Hemel Hempstead, Herts.
2. From my inspection of the premises and their surroundings which I carried out on 21 August 1979, and consideration of the representations made by you, by the council, by Chaulden Neighbourhood Association and by other persons, I am of the opinion that this case turns on 2 issues. These are the effect of the proposed extension upon the adjoining dwellinghouse at 36 Long Chaulden and the effect of intensification of the use of the public house upon the locality.
3. On the first point, this public house is already close to the existing dwelling to the east, with only about 40 ft separating the public bar from the front corner of the house and the gap between the 2 buildings narrowing to under 25 ft further back. The proposed extension would reduce the distance between the public bar and No. 36 to less than 25 ft, thereby making it increasingly difficult to avoid disturbance to the occupiers of that house. A letter from an occupier of No. 36 expresses strong opposition to the proposed extension. In my opinion the fact that the public bar would no longer have a window facing east would not compensate adequately for the larger size of the bar and the reduced distance between it and No. 36.
4. On the second point, although some letters from local residents comprise mainly complaints about the anti-social behaviour of a few customers, it is clear from the representations that the public house does have an impact on the surrounding mainly residential area because of the numbers of people leaving late in the evening and because of inadequate parking space in the neighbourhood centre which results in customers parking in the streets and creating a further potential source of disturbance to local residents. I appreciate that to some extent the extra space within the bar would simply reduce congestion within the building. Nevertheless the 14% floorspace increase in the bars could well impose greater pressure upon already inadequate parking facilities in the centre and increase the impact upon local residents of the arrival and departure of customers. In my opinion the proposed extension of this public house would be undesirable.

because there are not enough parking spaces suitably distant from dwellings and because the already inadequate separation between the public bar and an existing dwellinghouse would be reduced. I do not consider that the measures suggested in your letter dated 31 July would materially help in reducing the impact upon residents.

5. I have taken into account all the other points raised in the representations but none of them outweigh the considerations which have led to my decision.

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

I am Gentlemen  
Your obedient Servant

*H M A Stedham*

H M A STEDHAM ARICS FRTPI  
Inspector

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No. ....

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

ST/24

To **Whitbread London Limited,** (1)  
**Park Street West,**  
**LUTON,**  
**Beds.** (2)

**Messrs Briffa & Phillips,**  
**44 Holywell Hill,**  
**ST. ALBANS,**  
**Herts.**

**Single storey extension to public bar**  
**Tudor Rose Public House, Long Chaulden, Hemel Hempstead.**  
**at**

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 **13th October, 1978,** and received with sufficient particulars on **16th October, 1978,** and shown on the plan(s) accompanying such application.

- The reasons for the Council's decision to refuse permission for the development are: (A)
1. The proposed development would affect adversely the residential amenity of the occupier of the immediately adjacent dwelling by reason of its siting and proportions.
  2. The intensification of use which would result from the proposed development would affect adversely the amenity of the occupiers of surrounding dwellings.

Dated **16th** day of **November**, 1978.

Signed 

Designation **Director of Technical Services.**

LIST OF PERSONS TO BE NOTIFIED IN RESPECT OF  
 APPEALS UNDER SECTION 88 AND SECTION 36  
 BY J. GREEN, ESQ. CONCERNING LAND BETWEEN  
TWO BAYS AND BEGGARS ROOST, LONG LANE, BOVINGDON

1. Occupiers

Le Chalet	Long Lane	Green Hedges	Long Lane
Bienvenida	" "	Meadow Way Farm	" "
Two Bays	" "	Chesters	" "
Beggars Roost	" "	Little Gables	" "
Dunober	" "	Greenway	" "
Sunnymede	" "	Mayland	" "
Spinney View	" "	Shandon	" "
Corn Close	" "	Kilmacrennan	" "
Holly Trees	" "	Long Acre	" "

2. Bovington Action Group, The Hollies, Green Lane, Bovington

3. Bovington Parish Council, Clerk - Mr. Robbie, The Lodge,  
 Chesham Road, Bovington.

4. County Planning Officer.

5. County Surveyor, "Goldings", North Road, Hertford.

6. The Editor:

The Hemel Hempstead Gazette, 39 Marlowes, Hemel Hempstead.  
 The Hemel Hempstead Mail, Campfield Road, St. Albans.  
 The Evening Echo, Mark Road, Hemel Hempstead.  
 The West Herts. & Watford Observer, 124 Rickmansworth Road,  
 Watford.

<sup>future of the</sup>  
The hedge is not guaranteed, no T.P.O., and therefore  
cannot be relied upon to reduce noise. ~~Hambleton~~

No comment. Slope of the land is such as to give  
a much bigger brick wall.

No comment

Bigger increase in bar area 14% increase in  
bar floor area shown  
on the plan

Church hall.

Local residents seemingly differ in this opinion

# PARTICULARS OF APPEAL

Name of local planning authority Dacorum District Council

Description of proposed development or reserved matters <b>Extension to Public Bar</b>		Address or location of application site <b>"Tudor Rose" P.H. Long Chaulden Hemel Hempstead</b>
National Grid reference (if known) <b>-</b>	Date of application to authority <b>13th October 1978</b>	Date of authority's decision (if any) and Code or Ref. No. <b>19th November 1978</b>

Do you agree to the appeal being dealt with on the basis of written statements by the parties? Yes

## GROUND OFS OF APPEAL (continue on separate sheet, if necessary)

Please see Question 22 in the booklet "Planning Appeals - A Guide to Procedure" before completing this section

The proposed extension to the public bar is a very small extension and will not cause any inconvenience to the adjacent dwellings for the following reasons:

1. The boundary running north to south consists of a well established beech hedge some 15 feet high and 4-5 feet thick and provides an extremely good visual screen.
2. The size of the extension has been purposely restricted in order that, at its worst, it is 11'6" from the boundary and 19'6" from the adjoining house. Its height is no more than that of the existing part of the building to which it is attached.
3. We have ensured that there are no openings to the wall facing the adjoining house, in order that there should be no visual intrusion or disturbance caused by noise emission. In fact, there should be less of both, as at present there is a window in the existing flank wall of the pub.
4. The size of the extension is 15'0" x 15'0" overall, external dimensions, giving a net extra floor area of 214.66 sq.ft., only a 3.68% increase to the area of the existing building and cannot represent an intensification of use.
5. There are no dwellings directly opposite the proposed extension and the nearest facing dwelling is more likely to be adversely affected by the private letting of the hall on the corner of Hazeldell Road and Long Chaulden, than by the proposed development.
6. The extension has been designed in sympathy with the existing structure and is a very normal proposal to a very normal pub in a very normal street in a very normal neighbourhood, and will cause no offence or interference, either visually or environmentally, to the very normal lives that the local residents are enjoying at present.