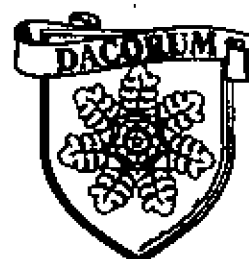


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr. J. Williams
9 Vicarage Gardens
Flamstead
Herts.

.....Two storey rear extension.....
.....
at.....9 Vicarage Gardens, Flamstead, 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 dated18 July 1988..... and received with sufficient particulars on25 July 1988..... and shown on the plan(s) accompanying such application..

The reasons for the Council's decision to refuse permission for the development are:—

The proposed development would have a seriously detrimental effect on the amenities and privacy at present enjoyed by occupants of adjacent dwellings.

Dated 27th day of September 19 88

Signed.....

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.

Local Resident

Objects on the grounds of loss of light and loss of two car parking spaces along Charles Street. States that a new water supply and manhole for sewage will be required.

No comments on revised plans have been received to date.

CONSIDERATIONS - Policy 62 of the District Plan encourages the conversion of larger dwelling into smaller units. The construction of the external staircase will materially alter the appearance of the house. The design can be considered to be out of character and unacceptable for this prominent location.

Parking for two cars (to District Plan standards) was originally proposed at the rear of the garden. However, due to insufficient depth at that point, a revised layout was sought. Consequently two spaces of standard size are proposed, being orientated, longitudinally in the garden area within a 'hammerhead'; a separation of 6 m exists between the spaces. Unfortunately this leaves the proposed flats with no amenity space.

As the site is prominent and as the mainly residential area is characterised by properties with gardens of a reasonable size, it is appropriate for some garden or amenity space to be provided.

The applicant has, however, submitted an alternative layout with two parking spaces adjacent to the rear of the house. This would leave the rear of the garden free for amenity purposes, but would lead to the remaining garden area being cut off from the house if vehicles were parked in the proposed spaces, giving an unsatisfactory layout.

There may be some loss of light to the adjacent garden as a result of the erection of a 1.5 m retaining wall along the north eastern boundary of the site. However, this could be erected without the necessity for planning permission. What is of greater concern is the potential loss of amenity to the same garden by vehicles moving in and out of the proposed parking area. Although the hardstanding proposed could also be constructed without planning permission, the spaces provided would undoubtedly be used by occupants of the flats, thus incurring some noise disturbance to the adjacent property.

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

1. The construction of the vehicle parking area as proposed would leave the proposed flats with no amenity space. In the opinion of the local planning authority this would be detrimental to the appearance of the street scene and out of character with surrounding dwellings.
2. The use of the existing rear garden area for the parking of motor vehicles would cause a serious loss of amenity to the adjoining dwelling ~~by reason of noise.~~
3. The design of the external staircase and first floor porch entrance in this prominent location would cause an unacceptable visual intrusion to the street scene.