



DACORUM BOROUGH COUNCIL

To Mr J Pettit
23 Winifred Road
Apsley
Herts

P W Abbiss FRICS
'Flintwood'
Kingsdale Road
Berkhamsted
Herts

.... Erection of two flats and parking ..(Outline).....

at .. Adj. 23 Winifred Road, Hemel Hempstead, 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 dated 28 July 1988 and received with sufficient particulars on 28 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 is excessive on a site which is inadequate satisfactorily to accommodate the proposal together with the necessary amenities vehicle parking and access facilities.

Dated 9th day of ... September 1988

Signed.....

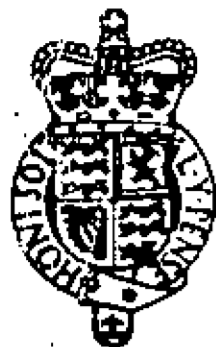
Chief Planning Officer

SEE NOTES OVERLEAF

P/D. 15

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.



Department of the Environment and Department of Transport

Common Services

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Ref.					Ack.	
C.P.O.	T.C.P.M.	D.P.	D.C.	B.C.	Admin.	File
Received				4 MAY 1989		
Comments						

Your reference

Our reference

T/APP/A1910/A/88/108535/P4

Date

28 APR 89

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 2
 APPEAL BY MR JOHN PETTIT
 APPLICATION NO: 4/1437/88

- I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the Dacorum Borough Council to refuse outline planning permission for the construction of 2 flats adjacent to 23 Winifred Road, Apsley. I have considered the written representations made by you and by the Council and also those made by other interested persons. As you are aware, I inspected the site on 11 April.
- From my inspection of the site and the surrounding area and consideration of the representations, I am of the opinion that the main issue in this appeal is whether the amount of parking likely to be generated by the development could be accommodated satisfactorily on the site without causing unreasonable harm to the amenities of residents in the locality or conditions on the adjoining highway.
- No 23 Winifred Road is an end-of-terrace house with a side area approximately 7 m in width which is surfaced in concrete and which contains a detached garage and addition. At the rear of the house and the garage, the garden drops away and there is some 2 m difference in levels between the front and rear of the site. The Council has approved the conversion of the existing house to 2 flats and the present proposal is to erect a 2-storey building on the side area to provide a total of 4 flats on the site.
- Development Control Policy Note 2 (Development in Residential Areas)- indicates that, as a general principle, new housing development is expected to provide for off-street parking for all the cars the occupants are likely to use. For this purpose, the Council in its local plan, has adopted a standard of one space per one bedroom flat plus one visitors space per 4 flats and I consider this to be an appropriate requirement for new development. The existing hardstanding and garage at the site is adequate to meet this standard for the approved conversion of the existing house and it is proposed that the increased requirement for 4 flats is achieved by providing 2 spaces in front of the new building with further parking for 3 cars in the rear garden.
- Although the 2 spaces at the front would be on the existing hardstanding area, I consider the arrangement proposed, utilising all the area in front of the proposed flats immediately adjoining the access to the rear, would appear congested and would neither provide an appropriate environment for the new accommodation nor be appropriate visually at the end of this terrace of small dwellings. The arrangement would also, in my view, be dangerous to traffic as a result of vehicles having to back into or out of the spaces and by obstructing the view of drivers emerging from the parking area at the rear.

6. To provide the parking at the rear, it would be necessary to form a vehicular access between the existing house and the proposed new building. The Council has expressed concern at what it considers to be the inadequate width of this access and, although this is an outline application, I do not consider that this could be materially wider than that shown on the plan. It would also be necessary to provide a ramp down between the 2 buildings to reach the level of the rear garden and, apart from creating practical difficulties for access to the residential accommodation, I consider that the use of this ramp would result in serious disturbance to the occupants of the adjoining flats. Vehicles would not be able to pass each other along this access and this would add to the unsatisfactory conditions at the entrance to the drive.

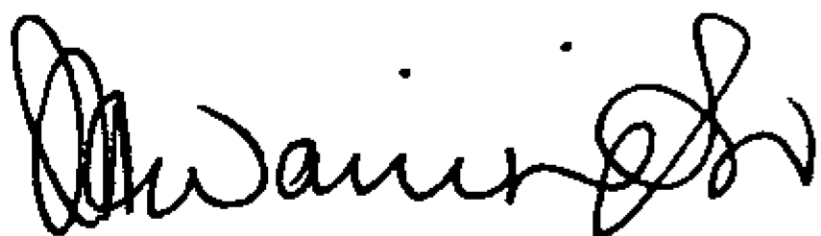
7. There would be adequate space for 3 cars to park at the rear but, because of the need for a ramp and for manoeuvring and turning space, this would result in the loss of most of the garden. In my opinion, this would leave inadequate amenity space for the occupants of the flats. As you know, I also viewed the site from the adjoining property in Featherbed Lane. The garden of this property and of the adjoining properties in Winifred Road are limited in size and have only limited screening and I am of the view that the residents of those properties would also suffer disturbance from the use of the rear car park and some loss of enjoyment of their gardens.]

8. I have come to the conclusion, therefore, that the provision of 5 car parking spaces in connection with the development would cause unacceptable harm to the amenities of residents and would adversely affect highway conditions. I am aware, however, of the need to make the best use of urban land and I have given consideration to whether a reduced requirement for off-street parking would be appropriate in this case. Most of the property in Winifred Road is incapable of making such provision and, from my inspection, I noted that there is already a high level of parking in the road. Although this takes place partially on what is effectively a lay-by along the pavement on the opposite side of the road and there is also a small parking area opposite the Comet Tiles' premises, I consider that new development should not be permitted in this area where it would add to the present parking difficulties.

9. I have also taken account of all the other matters which have been raised in connection with this appeal but these do not affect my conclusion that the site is unsuitable for the erection of a block of 2 flats together with the provision of adequate off-street parking.

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

I am Sir
Your obedient Servant



J H WAINWRIGHT FRICS DipTP FRTPI
Inspector