

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

Other  
Ref. No. ....

DACORUM

THE DISTRICT COUNCIL OF .....

IN THE COUNTY OF HERTFORD .....

.....

To Mr. Jeffries,  
41 Green Lane,  
Bovingdon,  
Herts.

Mr. I. Ball,  
47 Oakley Road,  
Luton,  
Beds.

|                  |
|------------------|
| Detached garage, |
| .....            |
| 41 Green Lane,   |
| at Bovingdon.    |
| .....            |

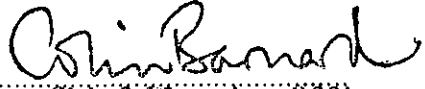
Brief  
description  
and location  
of proposed  
development.

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 ~~11th November 1981~~ 23rd November 1981 and received with sufficient particulars on ..... and shown on the plan(s) accompanying such application..

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

The erection of a garage in such a prominent position in front of the established building line will give rise to conditions detrimental to the amenities of adjoining properties and the street scene in general. Furthermore there will be insufficient room in front of the garage for a vehicle to park without impinging on the highway, which will give rise to conditions of danger to pedestrians and other road users.

Dated 20th ..... day of January 1982

Signed   
Chief Planning Officer

Designation .....

## 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.



**Department of the Environment and  
Department of Transport**  
Common Services

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PLANNING DEPARTMENT  
DACORUM DISTRICT COUNCIL

Mr F J Thompson  
F J Thompson & Co  
Old Kings Arms  
30 Church Street  
RICKMANSWORTH  
Herts, WD3 1DJ

Ref.

C.P.O.C.

**EXECUTIVE**

Ack.

Admin.

File

Your reference

FJT/MP

Our reference

T/APP/5252/A/82/04922/G3

Date

20 JUL 1982

Received

22 JUL 1982

Comments

ed

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MR F JEFFERIES  
APPLICATION NO:- 4/1472/81

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 a detached garage at 41 Green Lane, Bovington.
2. Having considered the written representations made by you and by the council and having inspected the site and surroundings on 28 June 1982 I have concluded that the main issues in this case are, whether the proposed garage would detract from the amenities of adjoining properties and the street scene in general and, whether its erection would leave insufficient room for a vehicle to park without impinging on the highway.
3. In regard to the first issue I noted that Green Lane is lined with dwellings having differing character and appearance. Furthermore I noted that on the southern side of the road buildings are set back at varying distances from the highway though few, if any, are set closer to the road than No 41. However whilst the front gardens of No 41 and its immediate neighbours are relatively open most of those on the southern side of the road are lined with trees and hedgerows. Thus No 41 can only be readily viewed for a distance of about 100 yds. In these circumstances, whilst the proposed garage would project well forward of any other building, I do not consider that its appearance would so detract from the appearance of the street scene as to justify refusal on this particular ground.
4. In regard to the effect of the proposal on adjoining properties I concluded that the only building likely to be affected would be No 39. However I noted that the driveway to the garage of this house would adjoin the proposed garage and that the nearest window to a ground floor habitable room was positioned about 10 ft from the boundary. As this habitable room appeared to run from the front to the back of the house it was also lit by large French windows at the rear. Given therefore that the owners or occupiers of No 39 have raised no objection to the proposal I have concluded that any loss of amenity to adjoining properties would be so slight as to not justify refusal on this ground also.
5. Consequently I do not consider that the proposal would give rise to conditions detrimental to the amenities of adjoining properties and the street scene in general.

6. In regard to the second issue it was determined on site that the front garden to No 41 was some 29 ft deep and that the carriageway was separated from the garden by a grass verge about 6 ft wide. Thus the front of the proposed garage would lie some 12 ft from the boundary and some 18 ft from the carriageway.

7. Given that Green Lane is a fairly well used local distributor road I do not consider it unreasonable for the council to ask, in effect, that an adequate parking space be provided in addition to the garage and, from the plan submitted (and from your representations) it is apparent that the only parking space which would remain after construction of the garage would be that area in front of it.

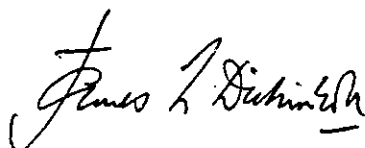
8. It has been argued that 12 ft would provide adequate space in which to park the present owner's car but I disagree - for if this car was to be parked within the site it would not be possible to open or close the garage door. Furthermore Design Bulletin 32 shows that the length of the 95th percentile car is over 14 ft and such a vehicle must be catered for. This vehicle could not be parked within the site; indeed if space is allowed for the garage door to be opened it would project outward from the property to a point very close to the carriageway.

9. Although it has been argued that lack of a footpath on the south side of the road means that a parked vehicle would not present any danger to pedestrians I again disagree. People are not forbidden to walk on the verge - indeed in certain circumstances children in particular may well find it more attractive than a footpath. Consequently they and others issuing out from adjoining properties could well step out into the road from behind a parked and therefore visually screening vehicle. Because of this and many other similar reasons I consider that failure to provide sufficient space for a vehicle to park without impinging on the highway will give rise to conditions of danger to pedestrians and other road users.

10. I have considered all the other matters raised in the written representations but have concluded that these lack sufficient strength to outweigh the considerations which have led to my decision.

11. 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 L DICKINSON MA DiplArch  
Inspector

| PLANNING DEPARTMENT<br>DORSET DISTRICT COUNCIL |      |      |             |        |      |
|------------------------------------------------|------|------|-------------|--------|------|
| Ref.                                           |      |      |             | Ack.   |      |
| C.P.O.                                         | D.P. | D.C. | B.C.        | Admin. | File |
|                                                |      |      |             |        |      |
| Received                                       |      |      | 22 JUL 1982 |        |      |
| Comments                                       |      |      |             |        |      |