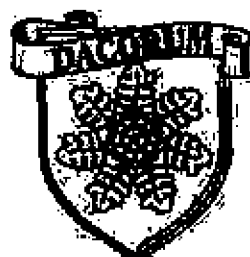


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To MR A Goodwin
77 London Road
Apsley
Hemel Hempstead Herts

Fuller Hall & Foulsham (Hemel Hempstead)
81a Marlowes
Hemel Hempstead Herts

Single storey front extension to shop
.....
.....
at 77 London 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 3.8.88 and received with sufficient particulars on 3.8.88 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 extension will result in an unacceptable increase in traffic to the site for which no parking provision exists or can be provided, thus leading to conditions of danger on the trunk road and surrounding streets.
2. The proposed extension would result in the loss of an attractive traditional shop front and the design of the replacement shop front is unsympathetic to the character of the existing building.

Dated 23rd day of September 1988

Signed.....

SEE NOTES OVERLEAF

P/D. 15

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.



**Department of the Environment and
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81A Marlowes

HEMEL HEMPSTEAD

Herts

HP1 1LF

**CHIEF EXECUTIVE
OFFICER**

5 MAY 1989

File to

Refer to

Cleared

Your reference

Our reference **PLANNING DEPARTMENT**
T/APP/A1910/A/88/107150/P7CIL

Ref.

Date

C.P.O.

T.C.P.M.

5 MAY 89

Admin.

File

Received

- 5 MAY 1989

Comments

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9

APPEAL BY MR A GOODWIN

APPLICATION NO: 4/1474/88

1. I have been appointed by the Secretary of State for the Environment to determine the above-mentioned appeal which is against the decision of the Dacorum Borough Council to refuse planning permission for the extension of the shop front at 77 London Road, Apsley. I have considered the written representations made by you and by the Council, and also those made to the Council by an interested person. I inspected the site unaccompanied on 23 March 1989.

2. From my inspection of the appeal site and its surroundings, and from the written representations made, I consider the main issue to be the effect which the development would have on the appearance of the area.

3. The appeal premises stand alongside the A41 trunk road at a point where this heavily trafficked route has a single carriageway and passes through a built-up area; the road has a 30 mph speed restriction and parking prohibition at all times. The road is of very mixed land uses and building types with no predominant characteristics. Although development generally is of one or two storeys, there is considerable variation in the age and scale of buildings which include factories, a petrol station opposite the appeal site, a modern retail warehouse, 2-storey flats adjacent to the north-west, terraces of cottages, and 2-storey commercial frontages of older terraced properties.

4. The appeal premises and an adjoining shop occupy a 2-storey 19th century building with a dormer, and with imitation half-timbering applied to the facade. The existing shop front at the appeal premises is, in my opinion, of appropriate design and appearance for the building and is well proportioned having pilasters, a fascia, a central door, and plate glass display windows with brick stallrisers. The forecourt of the shop was in use, at the time of my inspection, for the parking of 2 cars, and a third vehicle was parked at the kerb.

5. With regard to the principle of extending the ground floor forwards, I note that this would result in the loss of the forecourt parking spaces. While I accept that this loss is regrettable and cannot be mitigated on the appeal site or in public parking areas nearby, I do not consider that for this reason alone planning

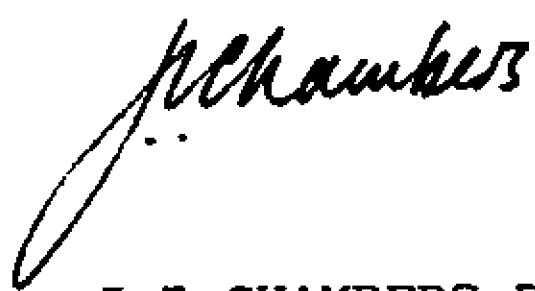
permission should be withheld, especially as access to the forecourt from the trunk road is likely, in my opinion, to be somewhat hazardous.

6. However, the design and materials of the proposed extension and new shop front would not, in my opinion, be well related to the existing building and would result in a prominent, obtrusive and discordant feature, detrimental to the appearance of the area. In particular, the plain rectilinear shape of the proposal, unrelieved in its detailing, and the use of painted render and mosaic tiles, would be alien features in the street scene. Although the appeal premises are not within a conservation area, or distinguished architecturally, I do not consider that the proposed extension, which would be visually to the detriment of the building and of the area generally, is acceptable.

7. I have taken into account all other matters raised in the written representations, and the advice contained in Circulars 22/80 and 14/85, but they do not affect my conclusions on the planning considerations leading to my decision.

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

I am Gentlemen
Your obedient Servant



J I CHAMBERS BArch MCD MRTPI
Inspector