



Department of the Environment

Room 13.19

Tollgate House Houlton Street Bristol BS2 9DQ

Telex 449321

PLANNING DEPARTMENT DACORUM DISTRICT COUNCIL					
Ref.			Ack.		
D.P.O.	D.P.	D.C.	B.C.	Admin.	File
Direct line 0272-218 875					
Switchboard 0272-218811					
Received 074			6 AUG 1981		
Comments					
Your reference					
Our reference					
T/APP/5252/A/81/03470/GT					
Date					
5 AUG 1981					

Mr H D Horne
High Beeches
Tile Kiln Lane
Bennetts End
HEMEL HEMPSTEAD
Herts

CHIEF EXECUTIVE

- 6 AUG 1981

003451

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO:- 4/1509/80

1. I refer to your appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse outline planning permission for the erection of 3 detached houses with garages at the rear of "High Beeches", Tile Kiln Lane, Hemel Hempstead. I have considered the written representations made by you, the council, Commission of New Towns and interested persons. I inspected the site on Monday 1 June 1981.

2. From my inspection of the appeal site and surroundings and from the representations made, I am of the opinion that the main issue is whether a safe and adequate means of access can be provided to serve the proposed 3 dwellings without undue detriment to the general setting and amenities of the neighbouring dwellings.

3. I saw that the proposed development would result in the loss of some of the trees and the woodland character of that part of your garden which forms the appeal site. This would be similar to the changes that have occurred as a result of the development of the adjacent sites in recent years and also takes into account the present conditions of some of the trees. Furthermore, I note that the council does not object to the development of the site with 3 houses apart from the route of the proposed means of access which forms part of your outline application.

4. During my inspection I noted that the proposed access would be on the line of the existing driveway for a distance of about 65 m from Tile Kiln Lane, across the front of Tile Kiln Cottage and High Beeches, your house. It would then turn at right angles and extend about 90 m along the south-west side of your garden between your house and Kiln Lodge. The existing driveway is used by 4 dwellings. It has a gravel surfaced carriageway of some 3 m - 4 m in width lying between the wooded fringe of the adjoining school site and the open front gardens of the houses that it serves. Your house is set back about 12 m - 15 m from the driveway but Tile Kiln Cottage, one of the few remaining old dwellings of character in the area, is much closer to it. At the closest, the west corner of that building is only about 5.7 m from the school site boundary and the surfaced driveway occupies about 4 m of that space.

5. You maintain that you own a strip of not less than 6 m (20 ft) in width south-west of the original part of Tile Kiln Cottage and that you would be entitled to lay out the whole of it in a suitable way for an access road. You also consider that a strip of similar width to the north-east, extending as far as Tile Kiln Lane could also be laid out as part of the proposed access road although I saw that there is a wooden fence, containing a 3 m wide gate in one place, from the north corner of Tile Kiln Cottage to the school site boundary that would have to be removed if a road of width over 3 m were proposed. Although I do not know if you would be entitled to do this, I shall assume that you are able to provide an access of up to 6 m in width as shown on the application plan.

6. Although the narrow and informal driveway has been regarded as sufficient to provide access for the existing 4 dwellings, I am of the opinion that its width and layout would have to be altered to be suitable for 7 dwellings. This would include the provision of a wider carriageway or passing places to enable vehicles, including commercial vehicles, to pass each other in comparative ease and safety and, would have a separate footway in places. Although it might be possible to restrict the width of such an access road at a pinch-point such as that between the west corner of Tile Kiln Cottage and the school site boundary, it would be wider in places including in the vicinity of the proposed right angle bend which commercial and refuse collection vehicles would have to negotiate. It would also be wider between the pinch-point and Tile Kiln Lane to avoid vehicles being held up there where the junction of Caro Lane adds to the problems that delay could cause.

7. The greater area of land and its layout for access purposes would result in a significant change in the character of the immediate locality, as described by the occupiers of Tile Kiln Cottage and Kiln Lodge. The replacement of a small-scale driveway with a wider road continuing through and beyond the area, with the associated loss of trees and other vegetation, would be detrimental to the character of the surroundings and to the related amenities of the occupiers of those houses, including your own. Furthermore, part of the new access road would then be very close to the front elevation of Tile Kiln Cottage so that the proximity of this widened road and the additional traffic it would carry would be detrimental to its semi-rural setting and to the privacy of its occupiers.

8. The access from Tile Kiln Lane divides at the place where Tile Kiln Cottage is situated between the existing driveway and Caro Lane. The short distance between this corner and Tile Kiln Lane, and the way in which the visibility of drivers of emerging vehicles is restricted by Tile Kiln Cottage, results in this as a potentially dangerous corner. If the driveway were widened as you propose the speed of emerging vehicles would be likely to be higher and the increased numbers resulting from the extra houses would significantly increase that hazard, even if the corner of the school site could be secured for improved visibility as indicated in your application.

9. From my consideration of these matters I am of the opinion that a suitable access cannot be provided without undue detriment to the safety of traffic in the vicinity and to the general setting and the amenities of the neighbouring dwellings. I have taken into account all the other matters in the representations including the general accessibility of the appeal site by using the proposed access when compared with access suggested by the council along Kinderscout but I am of the opinion that all these matters do not outweigh the considerations that led me to my decision.

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

I am Sir
Your obedient Servant

D. J. Tuckett

D J TUCKETT ARICS MRTPI
Inspector