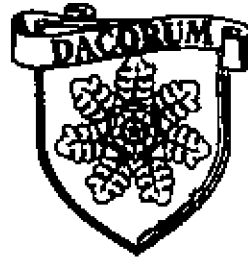


## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972



## DACORUM BOROUGH COUNCIL

To T Newsome  
78 Standard Road  
Hounslow  
Middlesex

CML Associates  
Unit 2, Apsley Industrial Estate  
Apsley  
Hemel Hempstead  
Herts

Change of use dwellinghouse to physiotherapy  
clinic with flat above  
at 162 Cotterells, Hemel Hempstead

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 15 August 1988 and received with sufficient particulars on 15 August 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 proposal as submitted does not provide for a satisfactory means of access within the control of the applicant for private and service vehicles from a made up public highway by reason of the substandard visibility sight line to the south.

Dated 29 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.

29 SEP 1988

4/1546/88. CHANGE OF USE DWELLINGHOUSE TO PHYSIOTHERAPY CLINIC  
WITH FLAT ABOVE.  
162 COTTERELLS, HEMEL HEMPSTEAD.  
APPLICANT: T NEWSOME

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DESCRIPTION - 162 Cotterells is a detached dwelling within a site of 0.03 Ha (0.1 acre) and situated adjacent to an established commercial undertaking. The proposal is to convert the property into two units - a small clinic with 2 treatment rooms on the ground floor and a flat above. Parking space for 6 vehicles can be provided in the rear garden area using an existing access; 5 of these spaces would be available for use by staff and patients and would comply with current standards.

POLICIES

Hertfordshire County Structure Plan 1986 Review

No relevant Policies

Dacorum District Plan

Within Urban Area; Policies 19 and 61

REPRESENTATIONS

None to date

CONSIDERATIONS - There are a number of commercial uses in Cotterells and, although there will be some loss of residential accommodation, a flat unit will be retained - albeit without any private amenity space. The use of the rear garden for parking together with the access drive will result in traffic movements adjacent to the boundary with number 164 - although this dwelling is some 6 m distance from the boundary. The adjoining property, number 160, is already in commercial use. On balance the property is one of the few remaining in the road which could be considered suitable for this type of use without detriment to the general amenities of the area.

RECOMMENDATION - That planning permission be ~~GRANTED~~ <sup>REFUSED</sup> (on form DC3) subject to the following conditions:

1. The development to which this permission ~~relates~~ shall be begun within a period of five years commencing on the date of this notice.
2. The development hereby permitted shall not be occupied until the arrangements for vehicle parking shown on plan 4/1546/88 shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.

\* \* \*

*Does not provide satisfactory means  
of access within control of applicant*