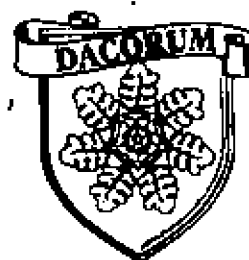


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Sally Ann Shepherd
124 Long Chaulden
Hemel Hempstead
Herts

Mr J Lewis
117 Chambersbury Lane
Hemel Hempstead
Herts

CONVERSION OF DWELLING TO FORM 2 FLATS AND ERECTION
OF TWO STOREY SIDE EXTENSION TO FORM DWELLINGHOUSE.
at 124 LONG CHAULDEN
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 24.9.88 and received with sufficient particulars on 26.9.88 and shown on the plan(s) accompanying such application.

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

- 1) There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.
- 2) The proposal involves the formation of an access directly onto Long Chaulden, a local distributor road and would therefore be contrary to the objectives of "Residential Roads in Hertfordshire" which aims to restrict such frontage access.
- 3) The proposal is considered prejudicial to highway safety because the required visibility splays are obstructed by adjoining walls and fences and by vehicles parked on the hardened highway verge.

Dated TENTH day of NOVEMBER 19 88

Signed

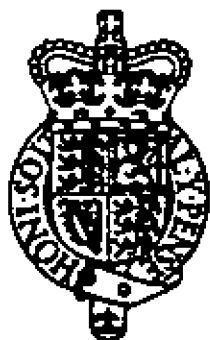
SEE NOTES OVERLEAF

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.



Planning Inspectorate Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct Line 0272-218
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CHIEF EXECUTIVE

3 AUG 1989

 File 927
 Refer to 280 3/8
 Cleared

J Lewis Esq
117 Chambersbury Lane
HEMEL HEMPSTEAD
Hertfordshire
HP3 8BE

Your reference

159/88

 Our reference PLANNING DEPARTMENT
 T/APP/A19A07/A/89/114655/P4A

Date Ref.

 1 AUG 89
 C.P.O. T.C.P.M. D.P.

Received

- 3 AUG 1989

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
 APPEAL BY SALLY-ANN SHEPHERD
 APPLICATION NO: 4/1799/88

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Dacorum Borough Council to refuse planning permission for conversion of dwelling to form 2 flats and erection of 2-storey side extension to form dwellinghouse at 124 Long Chaulden, Hemel Hempstead. I have considered the written representations made by you and by the Council. I inspected the site on 11 July 1989.
2. Having regard to my inspection of the site and its surroundings and from the representations made, I have concluded that the main issues in this case are firstly, the adequacy or otherwise of the proposed on-site car parking provision, and secondly, the effect on traffic conditions.
3. The appeal property is a 4-bedroom end of terrace house facing on to an amenity grassed area but with its flank wall and rear garden side boundary being alongside the back of the pavement on the north-eastern side of the highway known as Long Chaulden. There is no on-site parking space with the property although the adjoining pavement and hardened verge appears to be used by local residents for the parking of vehicles off the road. This situation also occurs along other sections of the road. Long Chaulden is one of the main roads through this residential area and I noticed at the time of my mid-afternoon visit that it was very busy.
4. On the first issue, Policy 19 of the approved District Plan which has been operative since the beginning of 1984 states that all development proposals should include provision for car parking based on the adopted guidelines. This is re-affirmed in Policy 66 dealing with residential development and the guidelines indicate that 4 spaces are normally required in the present instance. This allows for the needs of residents, visitors and short-stay service vehicles. Whilst I consider that such standards need to be applied with some degree of flexibility depending on the merits of each particular proposal, nevertheless I see no reason to disagree with the application of the normal requirement in this case bearing in mind the amount of traffic using Long Chaulden. To that extent your client's scheme makes an inadequate provision for on-site parking space.
5. On the second issue, although you say that the proposed access is for vehicles which can be equated to a residential road, the Council state that Long Chaulden is a local distributor road through this residential area and their policy in respect of such routes is to restrict further frontage access in the interests

of highway safety. Cars in spaces on the appeal site would be parked end-on and have to be reversed out on to Long Chaulden into the line of traffic. I found that this would occur at a point almost opposite the junction with Honeycross Road. Whilst some improvement to visibility may be achieved by removal or adjustment to the height of present fencing and a short length of brick wall, there would still be the distinct risk of obstruction due to the practice of local residents parking their cars upon the hardened verge and pavement. Collectively therefore, these factors lead me to conclude that your client's scheme would be unacceptable because of the dangers it would cause in respect of highway safety.

6. I have considered all the other matters that were raised in the representations but none outweigh the basis for my conclusions.

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

I am Sir

Your obedient Servant



K SKITCH FRICS
Inspector