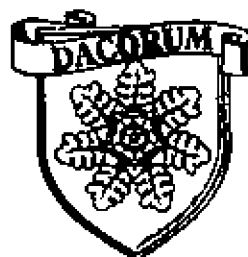


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

DD

To Messrs Arter & North
The Nap
Kings Langley
Herts

Maurice Phillips Partnership
30 Bovingdon Green
Hemel Hempstead
Herts

..... First floor extension of store to form offices

..... (Outline)

at Arter and North, The Nap, Kings Langley, 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 9.9.88 and received with sufficient particulars on 27.9.88 and shown on the plan(s) accompanying such application..

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

1. The proposed development, due to its height mass and design, is unsympathetic to the character of the nearby residential development and by reason of its prominent location would be detrimental to the amenities of surrounding properties and the environment of the locality.
2. 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.
3. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.

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.

The access road is inadequate; shared access should be 4.1 m wide. Car parking layout is substandard. The access lane adjacent to rows of parking bays is required to have a minimum width of 6 m.

CONSIDERATIONS - The access road is already inadequate to serve existing premises and any intensification of the use on the site would further exacerbate problems. Residents of No. 3 Rectory Lane use the access road to gain access to their rear garden garage. They have stated that they often have to ask for vehicles associated with the application site, to be moved to allow them to pass. Vehicles are already parked on the access road in positions proposed in the plans from which it is clear that not only is the width of the access inadequate but also the parking layout is substandard and as there is not sufficient room to provide a 6 m lane adjacent to the parking bays.

The applicants require six spaces to conform to District Plan Guidelines for the new development but it is not feasible to provide them on a shared access/right of way, particularly as problems exist as a result of the present level of use on the site. Moreover, this area is largely residential and in my opinion it is not a suitable location for the increase of business uses. Although there is a fairly tall building supplies shed adjacent to the site, a second storey on this building would be substantially higher than the shed and out of keeping with residential development in the vicinity.

✓ RECOMMENDATION - That planning permission be REFUSED (on form DC4) for the following reasons:

1. The proposed development, due to its height mass and design, is unsympathetic to the character of the nearby residential development and by reason of its prominent location would be detrimental to the amenities of surrounding properties and the environment of the locality.
2. 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.
3. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.

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