

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr Watson
16 Lyme Avenue
Northchurch
Herts

D Clarke
47 Gravel Lane
Hemel Hempstead
Herts

<p>..... two storey side extension</p> <p>.....</p> <p>at 16 Lyme Avenue Northchurch Herts</p> <p>.....</p>

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 26.9.88 and received with sufficient particulars on 3.10.88 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 proposal by reason of its size, and close proximity to the common boundary with no. 14 Lyme Avenue would result in the establishment of a cramped form of development between Nos. 14 & 16 and consequently detract from the spacious layout of semi-detached dwelling houses located within the south western part of Lyme Avenue. If permitted, it would be difficult for the local planning authority to resist other proposals to similarly positioned semi-detached dwelling houses to the further detriment of the visual amenity of the locality through the establishment of terracing effect.
2. The proposed development by reason of its roof design would not appear as an integral part of the dwellinghouse and consequently detract from its appearance within the street scene.

Dated 8th day of November 19 88

Signed.....

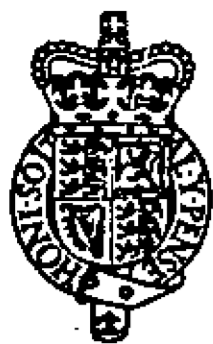
SEE NOTES OVERLEAF

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.



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D Clarke Esq
47 Gravel Lane
Boxmoor
HEMEL HEMPSTEAD
HP1 1SA

Your reference

CHIEF EXECUTIVE OFFICER	
10 JUL 1989	
File no.	
Refer to <i>C.P.O.</i>	
Cleared <i>10h</i>	

Our reference		DT/APP/A1910/A/89/113169/P2	
Ref. Date	5 JUL 89		
C.P.O.	I.C.P.		File
Received		10 JUL 1989	
Comments			

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR M C WATSON
APPLICATION NO:- 4/1840/88

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 a 2-storey side extension at No 16 Lyme Avenue, Northchurch, Herts. I have considered the written representations made by you and by the Council and also those made by the Parish Council and interested persons. I inspected the site on 22 June 1989.
2. From my inspection of the site and its surroundings and the representations made I am of the opinion that the main issue is whether the proposal would be detrimental to the street scene.
3. In considering this proposal I have been mindful of Plans 18, 19 and 66 of the adopted District Plan which relate to the design criteria to be applied to new housing development.
4. While I found Lyme Avenue to be a pleasant residential street I cannot concur with the Council's view of it as semi-rural. I consider it to be suburban in character. I appreciate the Council's concern that the present character be retained, but in my opinion, the appeal proposal would not adversely affect that character.
5. I find the proposed extension to be well designed and to result in a pleasing elevation to the street frontage. Because this design provides for differing vertical planes and roof lines, and because the property to the north, No 14 lies at a lower level, I can see no possibility of the terracing effect feared by the Council being achieved.
6. I therefore am convinced that the proposal would not be detrimental to the street scene and I intend to grant planning permission for the proposed extension subject to the normal time condition. The use of materials to match those existing is indicated on the application plan so I see no reason to impose a condition relating to materials.
7. I have taken into account all the other matters raised but they are not sufficient to override the considerations that have led to my conclusions.

8. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for a 2-storey side extension at No 16 Lyme Avenue, Northchurch, Hants in accordance with the terms of the application No 4/1840/88 dated 26 September 1988 and the plans submitted therewith, subject to the condition that the development hereby permitted shall be begun before the expiration of 5 years from the date of this letter.

9. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971.

I am Sir
Your obedient Servant



MARY A McCLUNE DipTP MRTPI
Inspector