

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To **G MacClean**
36 Belmont Road
Hemel Hempstead
Herts

R Gold
33 Huntingate
Hemel Hempstead
Herts

Demolition of dwelling and erection of 11 one bedroom
 elderly persons flats (Cat 1) Outline
 at 10 Hillfield Road, 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 **5 October 1988** and received with sufficient particulars on **3 October 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 proposed development is excessive and out of character with the general pattern of development in Hillfield Road and would, if permitted, prove unneighbourly and injurious to the general amenities of the adjacent property and the area as a whole.

Dated **First** day of **December** 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.

area; an overdevelopment of the site; excessive density; inappropriate and unsuitable location for the elderly with a steep hill and excessive traffic; problem to restrict its occupation to the elderly; unsightly car park, with unsafe access and insufficient spaces which will lead to additional congestion on an already heavily parked road; increase traffic; poor visibility; erosion of amenities and character of road; overlooking; loss of privacy and overshadowing; set an undesirable precedent; loss of value and already excessive building in neighbourhood resulting in disturbance to residents.

CONSIDERATIONS - The application site lies in an area of mainly detached houses in large gardens. The current density is quite low and in a situation so close to the town centre there is some pressure for higher density development. There are no other flats in Hillfield Road; in August 1987 permission was refused for a block of 9 flats at 28 Hillfield Road on the grounds that the development was out of character with the area and would prove harmful to a tree protected by a Tree Preservation Order. (The site is currently being developed for three detached houses).

There are no trees on the application site that are worthy of a Tree Preservation Order, but the proposal will have the effect of changing the character of the street, particularly if repeated elsewhere. The scheme involves a large two/three storey block, with a continuous elevation of some 29.6 m in length along the Walnut Grove frontage which is more bulky than the existing bungalow or the adjacent properties (8 Hillfield Road is also a bungalow). This is exacerbated by the differing ground levels. The content of the building with 11 flats would significantly increase the levels of general activity associated with the site. The applicant has stated that these are to be retirement flats (Category 1 for the active elderly) and although parking for nine cars is provided in accordance with the Council's standards it is questionable whether the requirement of 0.5 spaces per unit is appropriate. This is a very heavily parked road and there may be a case for increased off-street parking provision. The location of the parking in front of the building would be unsightly in the general street scene and although shrub screening is shown on the submitted plans, this is proposed planting and it will be some years before it is sufficiently established to screen the hard surfacing. A wider access than that shown is required by the Director of Technical Services which will further expose the parking. Only 10 refuse bins are shown and although the number can be increased, the proposed location adjacent to the boundary with number 8, which has side facing windows, is considered unneighbourly. On balance the scheme would appear to represent an unneighbourly overdevelopment of the site.

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

The proposed development is excessive and out of character with the general pattern of development in Hillfield Road and would, if permitted, prove unneighbourly and injurious to the general amenities of the adjacent property and the area as a whole.

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