



Department of the Environment
Becket House Lambeth Palace Road London SE1 7ER

Telephone 01-928 7855 ext

R J Aitchison
Chartered Surveyors
63 Marlowes
HEMEL HEMPSTEAD
Hertfordshire
HP1 1LE

Your reference
NA/AS

Our reference
T/APP/5252/A/77/6094/G5

Date
13 DEC 1977

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY DIRECT EGG SUPPLIES LTD
APPLICATION NO:- 1909/76D

1. I refer to your client's appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the erection of a single-storey warehouse extension on land at Direct egg supplies Ltd, King Edward Street, Hemel Hempstead. I have considered the written representations made by you and by the council and also those made by other interested persons. I inspected the site on 23 November 1977.
2. From my inspection of the site and its surroundings and from the representations made, I have decided that the main issues in this case are whether or not the proposal would adversely affect, firstly the occupiers of nearby dwellings and secondly, the use of the adjoining highway.
3. The roughly rectangular appeal site has a frontage to the south-west side of King Edward Street and rises gradually from the road. A steeply sloping bank divides the site so that the larger south-east part is at a higher level than the remainder. Its single-storey buildings adjoin the rear boundary of the appeal site and include 2 brick buildings between which is a range of sheds with felt and corrugated iron walls and felt and corrugated plastic roofs. There are dwellings on 3 sides of the appeal site whilst to the north-east, beyond King Edward Street is open land and a main railway line.
4. King Edward Street is straight and rises steeply on either side of a hollow immediately to the north-west of the appeal site. It is poorly lit, subject to a 30 mph speed limit, but there is no restriction on highway parking, loading and unloading.
5. Upon the first issue, I note that all existing site buildings are intensively used for storage purposes in accordance with a conditional planning permission granted less than 10 years ago and that the proposed warehouse extension would replace a range of sheds with roughly the same storage capacity. It may well be that the proposal would provide better working conditions and efficiency at the site but I do not doubt that any increased activity and turnover of goods would be marginal. On the other hand, the proposed building would link the 2 existing brick buildings and be of similar construction, external appearance and design to that on the south-east part of the land. This would screen the open part of the site from the otherwise secluded and private back gardens of dwellings to the south-west and the rear ground floor windows of these homes, improve the appearance of the site

and lead to the likelihood of less activity on the open part of the site. It is my opinion therefore, that the proposal would not adversely affect the occupiers of nearby dwellings.

6. Upon the second issue I appreciate that the parking, loading and unloading of vehicles on the highway must be a source of inconvenience, annoyance and danger to other road users and that the visibility splay to the north-east of the junction between King Edward Street and the narrow Featherbed Lane is substandard, but, for reasons I have already mentioned, I think that any increase in vehicle movements due to the proposal would be marginal and furthermore circumstances have not changed since the site was first used for its present purpose. In addition, it is proposed to provide some car parking on a part of the site not used for this purpose before. I conclude therefore, that the proposal would not adversely affect the use of the adjoining highway to a sufficient degree to justify refusal of planning permission and dismissal of this appeal.

7. I find therefore, that for the reasons to which I have referred, the proposal is acceptable. I appreciate the concern of a number of the local residents about the existence of this non-conforming use in a predominantly residential area but this is not a matter before me. I have considered all the other matters raised but I am of the opinion that these matters are of insufficient weight to alter my decision.

8. I mention also, that arriving at my decision, I have borne in mind the need to encourage this small firm which employs local labour and provides a local service in an area where there is a dearth of more suitably located warehouse sites.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby allow your client's appeal and grant planning permission for the erection of a single-storey warehouse extension on land at King Edward Street, Hemel Hempstead in accordance with the terms of the application (No. 1909/76D) dated 10 December 1976 and the plans submitted therewith, subject to the condition that the development hereby permitted shall be begun not later than 5 years from the date of this letter.

10. 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 Gentlemen
Your obedient Servant

R. Hodge.

R HODGE MRTPI, DipTP (Notts)
Inspector