



Planning Inspectorate

Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct Line 0272-218927

Switchboard 0272-218811

GTN 1374

12/11
2/10/91

T Lloyds & Co and Keith Miller
Two Waters
Park Road
Toddington
Bedfordshire
LU5 6AB

PLANNING DEPARTMENT					
DACORUM BOROUGH COUNCIL					
Act					
Adm.	File				
Received	7 JAN 1991				
Comments					

Your reference
LC APPEAL

Our reference
T/APP/A1910/A/90/161734/P8

Date **24 JAN 91**

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY LATTIMORE COACHES LTD
APPLICATION NO: 4/1910/89

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 the use of land for the parking and maintenance of coaches at Richmond House, Hicks Road, Markyate. I have considered the written representations made by you and by the Council and also those made by interested persons. I have also considered those representations made directly by the Parish Council and by other interested persons to the Council which have been forwarded to me. I inspected the site on 28 November 1990.

2. The use for which permission is sought is already taking place and I therefore propose to treat the application as one made under the provisions of section 63(2)(a) of the Act. The Council say that the use of the site for parking coaches had ceased by 1962 and that the subsequent authorised use of the site has been for light industrial purposes. They say that the use of part of the site for the parking and maintenance of buses and coaches by Lattimore Coaches was first reported to them in May 1987. You do not contest any of these statements and I therefore intend to confine my consideration to the environmental questions raised by the reasons for refusal.

3. From my inspection of the site and its surroundings and from the representations made I consider that the main issue is whether the use seriously detracts from the amenities of surrounding properties by virtue of noise, fumes, loss of privacy and visual impact.

4. I read that a subsequent planning application covering a larger area and incorporating part of the Richmond House building has been submitted to and refused by the Council. However this appeal is concerned only with an 'L' shaped piece of land at the north west corner of the larger Richmond House site.

5. At its closest point the appeal site is about 8m from the nearest house and no part of the site is more than about 24m from the nearest house. In my

opinion the movement of large vehicles, sometimes at unsocial hours, and the storage of double deck buses in such close proximity to residential property will inevitably cause substantial nuisance. This nuisance will take the form of noise, fumes, disturbance from headlights and visual intrusion. In addition the drivers or other staff in the vehicles will be able to see over the surrounding fences thereby causing a loss of privacy. At the time of my site visit no-one was working on any of the buses on the appeal site so I have no direct experience of nuisance from noise or fumes, even though I do not doubt that they cause serious problems. I visited one of the houses off Roman Way and was able to view the double deck buses from a lounge and from a bedroom. I found that they dominated the view from the rear of the houses and I am therefore satisfied that the proposal is unacceptable on the grounds of visual intrusion alone.

6. Given the restricted dimensions of the appeal site I am unable to see how it would be possible to implement effective screening and still allow the use to be carried on, particularly since visual screening would not itself eliminate nuisance from noise and fumes. Any wall or fence high enough to screen bedrooms from double deck buses and headlights would itself have a restrictive effect on the outlook from the surrounding properties.

7. I have read your criticism of the Council's failure to incorporate measures to screen the Roman Way housing area from the Richmond House site. However I do not think that the use of the Richmond House site for the authorised light industrial use would have entailed the level of nuisance which is caused by the parking and maintenance of coaches.

8. In the grounds of appeal you list 6 specific measures designed to reduce the impact of the proposal. These appear to be associated with the larger site which was the subject the subsequent planning application. Certainly those proposals which involve using part of the main Richmond House building cannot be implemented within the confines of the appeal site and I do not consider that the limits of the present site would allow the other activities to be relocated far enough away from the surrounding housing to avoid unacceptable nuisance. Similarly the proposals outlined in Mr Miller's letter to the Council dated 7 November 1990 involve areas outside the appeal site.

9. I have considered all the other matters raised in the written representations but find that they do not outweigh the considerations which lead me to my decision.

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

I am Gentlemen
Your obedient Servant



G Arrowsmith BA MCD MRTPI
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Lattimore Coaches Ltd
 Richmond House
 Hicks Road
 Markyate

..... Use of land for the parking and maintenance of
 coaches
 at ... "Richmond House" Hicks Road, Markyate

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 7 November 1989 and received with sufficient particulars on 22 November 1989 and shown on the plan(s) accompanying such application..

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

The closeness of the site to the nearby dwellinghouses and doctors' surgery would be detrimental to residential and general amenity by reason of noise, disturbance, fumes, loss of privacy and visual impact.

Dated FIRST day of FEBRUARY 1990

Signed.....

Wm Bama

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 the date 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.