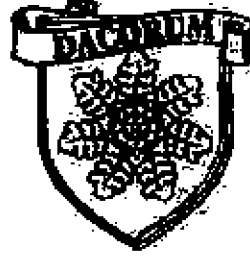


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr C Howard
69 Roman Gardens
Kings Langley
Herts

Mr A Thornton
316 Northridge Way
Hemel Hempstead
Herts

..... Conversion of town house to three one bedroom
..... flats and three storey rear extension
at 28. Wensleydale, 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 1.11.88 and received with sufficient particulars on 15.11.88 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 stairwell, due to its height, mass and design, is out of character with the existing and adjacent dwellings and the proposal as a whole is excessive on a site which is inadequate to accommodate satisfactorily the proposal together with the necessary vehicle parking facilities.
2. The proposed conversion would have an unreasonably harmful effect on the amenities enjoyed by residents of the adjoining property.

Dated ... 12th ... day of ... January ... 19 89

Signed *[Signature]*

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.

capacity of sewerage system and failure to stop any pedestrian access.

CONSIDERATIONS - The proposed new extension as shown represents a fairly substantial development which may limit afternoon sunlight to the adjoining property. It is also inappropriately placed on the building being directly in front of the first and second floor lounge windows, which will severely restrict light to these rooms. Moreover because it will be some 1.3 m from the building above the first floor level it will be out of character with the existing and adjacent developments. For three flats, the District Plan requires 4 spaces for vehicle parking, the fourth being a casual parking space. With minimum car parking dimensions of 2.4 m by 4.8 m the applicant requires an overall length of 14.4 m to accommodate the proposed three spaces to the front of the property. The available distance is only 13.3 m, and parking "in tandem" for three separate dwellings is not satisfactory. In any case, the applicant requires four spaces and as room does not exist as shown for three, the applicant is unable to comply with District Plan standards.

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

1. The proposed stairwell, due to its height, mass and design, is out of character with the existing and adjacent dwellings and the proposal as a whole is excessive on a site which is inadequate to accommodate satisfactorily the proposal together with the necessary vehicle parking facilities.
2. The proposed conversion would have an unreasonably harmful effect on the amenities enjoyed by residents of the adjoining property.

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