

TOWN AND COUNTRY PLANNING ACT 1990  
DACORUM BOROUGH COUNCIL



Application Ref No. 4/0010/93

Crownland Builders Ltd  
Saxon Oak  
Sheethanger Lane  
Hemel Hempstead  
Herts

Mr A.King  
Osborne Lodge  
Wick Road  
Wigginton  
Nr Tring  
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

Stantons, Meadway, Berkhamsted, Herts  
TWO DETACHED HOUSES AND ACCESS

Your application for *full planning permission* dated 06.01.1993 and received on 08.01.1993 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 04.03.1993

(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/0010/93

Date of Decision: 04.03.1993



1. The established layout of residential development in Meadway is distinguished by detached dwellinghouses set within spacious plots. The proposed subdivision of the residential curtilage of "Stantons" represents a cramped form of development which is incompatible with and detrimental to the character of the locality.
2. The proposed development, if permitted, would encourage further proposals for the subdivision of the residential curtilages of dwellinghouses in the vicinity of the application site which would be to the detriment of the established spacious layout and character of the locality.



# The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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PLANNING DEPARTMENT		DACORUM BOROUGH COUNCIL	
Ref.	Ack.	File	
DOP 0272-218927			
0272-218811			
0272-218769			
Recd 74			
24 SEP 1993			
Comments-			

A E King BA(Hons) BPl MRTPI  
Osborne Lodge  
Wick Road  
Wigginton  
TRING  
Hertfordshire  
HP23 6HQ

Your Ref:

Our Ref:

T/APP/A1910/A/93/221738/P5

Date:

23 SEP 1993

Handwritten initials and marks:  
JJA  
2) A M  
3) A B

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY CROWNLAND BUILDERS LTD APPLICATION NO 4/0010/93

1. As you know, I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the Dacorum Borough Council to refuse planning permission in respect of an application for the erection of two detached houses and construction of access on land at Stantons, Meadway, Berkhamsted. I conducted a hearing into the appeal on 10 August 1993.

2. Meadway is a private road linking Ivy House Lane and a road known as Gravel Path, which runs north from the centre of Berkhamsted. The houses would occupy approximately half of the rear garden of Stantons, a large house fronting Meadway. They would be of individual design, and of substantial size, comparable with others in Meadway, which are invariably set well back from the road within spacious grounds. They would be served by a new access drive built to adoptable standards, albeit this would remain a private road like Meadway itself.

3. The residential area which contains the appeal site is within the settlement boundary of Berkhamsted, where established local planning policy generally favours infilling residential development. This is to enable housing needs to be met, whilst protecting the nearby Metropolitan Green Belt from urban encroachment, and is consistent with national and regional policy, which seeks the best use of urban land. At the same time, policies of the approved Hertfordshire Structure Plan of 1992 and the adopted Dacorum District Plan (DDP) of 1984 aim to protect the quality of the environment in existing residential areas. In this respect local policy is again consistent with national guidance. It is clear to me that the acceptability of the proposed development depends on the balance which needs to be struck between these two aspects of statutory policy.



4. The Deposit Draft Dacorum Borough Local Plan is close to adoption following public inquiry, on which the Inspector's report has been published. The Draft Plan is already used by the Council as the basis of development control. Policies 8 and 100 respectively give more detailed provisions than the adopted DDP concerning the quality and density of new development. Although, as yet, they do not carry the full weight of the adopted policies, and the Inspector recommends certain amendments, I consider it fitting to assess the appeal proposals with reference to the criteria they nominate. These include that development should be appropriate to its setting in terms of layout, density, and visual impact.

5. From all that I have heard in evidence and read and seen of the site and the surrounding area, I consider that the case turns on the impact the proposed houses would have on their environs, particularly regarding the development density and general character and appearance of Meadway.

6. Existing development in Gilpins Ride and Millfield, just to the south, is suburban in character and of relatively higher density than that in Meadway. There is much less space between the houses, and they are clearly visible from the streets, which have footways on both sides. By contrast, Meadway is virtually rural in character, having grass verges but no footways, and being lined with trees which screen the houses from the road. In my opinion, the spacious and verdant character of Meadway should be protected, and its protection accords with the aims of established policy, even though the Council have not taken the opportunity in the preparation of the District Plan to afford it particular definition or status.

7. Any infilling development must inevitably result in an increase in development density. I recognize that, even with the proposed houses in place, the development density, in houses per hectare, on the site itself, and along Meadway as a whole, would still be substantially less than in nearby streets and at other sites in the area where new houses have been permitted by the Council, or for which allocations are made in the emerging District Plan. You referred in particular to development at Thorn Cottage, west of Gravel Path, which I viewed after the hearing, where extensive infilling development is being carried out. I do not regard the fact that these changes have taken place as justification for allowing the valuable character of Meadway to be eroded. I find it significant that the density of the proposed development itself would be above that in Meadway generally, even taking account of permissions recently granted.

8. Virtually all of the existing houses in Meadway face the road, and a site where the Council have granted residential permission next No 5 Meadway has an existing road frontage. The single exception is No 16A, but that occupies the rear part of a former large corner plot. By contrast, the proposed houses would require a new access between Stantons and the

adjacent property. I accept that the appearance and overall width of the proposed access road and its verges, once landscaped, would be comparable with the rest of Meadway; but there are currently no other side roads off Meadway, save a short spur from a roundabout junction east of the site. The introduction of a T Junction would therefore be out of keeping with the present road layout, and it would cause an incongruous visual interruption of the fence and vegetation which currently screen the grounds of Stantons.

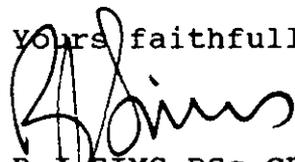
9. I see no reason to question whether the design of the houses would be suitable to the general character of the area, but they would be closer together than those nearby, and their rear gardens would be significantly shorter than any others in the vicinity. Moreover, they would have front and rear windows facing the backs of adjacent properties. In my opinion, although the appeal proposals would not create backland development of the kind resisted in national policy, it would appear cramped in comparison with its spacious surroundings. I conclude that the degree to which its layout would depart from the pattern and development density which has thus far been maintained in the area, together with its adverse effect on the appearance of Meadway would unacceptably harm the character of the site and its environs.

10. I have assessed the appeal strictly on its individual merits; but it is inescapable that to allow the appeal would set a precedent for the development of a large number of potential infill sites along Meadway, which would cumulatively cause its particular character to be lost. Moreover, although I consider the road system of Meadway adequate to cater for the extra vehicles associated with two more houses, the substantial additional traffic resulting from a general increase in development density would, in my judgement, prejudice road safety at the Gravel Path junction where visibility is restricted.

11. I recognize that the distance between the proposed houses and their neighbours would be more than double the minimum normally required by the Council, and that there is intervening tree screening which could be reinforced by new planting, compensating for the loss of certain trees which would be removed to facilitate the development. I have considered every other matter raised in connection with the appeal but no other factor is of sufficient importance to affect my decision.

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

Yours faithfully



B J SIMS BSc CEng MICE  
Inspector

**APPEARANCES**

**FOR THE APPELLANTS**

Mr A E King BSc(Hons) BPl MRTPI - Agent

**FOR THE LOCAL PLANNING AUTHORITY**

Mr M McFarland BSc(Hons) MRTPI - Planning Officer, DBC

**INTERESTED PERSONS**

Mr C Green - Meadway Property Owners Association  
Grindleton, 14 Meadway

Mr C Bennett - Higher Firs, Meadway

Air Commodore B G Dickinson - South Gates, 22 Meadway

Mr M Ingham - 21 Gilpins Ride

Mrs K Kettle - 19 Gilpins Ride

Air Vice Marshall G C Lamb - Hambledon, 17 Meadway

Mrs R M Partridge - 15 Gilpins Ride

Mr H Patel - Mayflower, Meadway

Mrs J Snow - 17 Gilpins Ride

**DOCUMENTS**

Document 1 - List of persons present at the hearing

Document 2 - Council's letter of notification of the hearing and list of those notified

Documents 3.1-21 - Letters of objection

Document 4 - List of conditions suggested by the Council - appended to their statement

**PLANS**

Plans A.1-4 - The application plans

Plan B - Previous permissions, refusals and dismissals

Plans C.1-2 - Development at Thorn Cottage

Plan D - Location of 16A Meadway