



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/0022/91

Mr & Mrs M O'Mahony
The Whins, Gravel Path
Berkhamsted
Herts

Capener Cross Partnership
Salter House, Cherry Bounce
Hemel Hempstead
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

The Whins, Gravel Path, Berkhamsted,

CONVERSION AND EXTENSION OF EXISTING PROPERTY TO FORM SIX NO. APARTMENTS

Your application for *full planning permission* dated 21.12.1990 and received on 09.01.1991 has been *REFUSED*, for the reasons set out on the attached sheet(s).



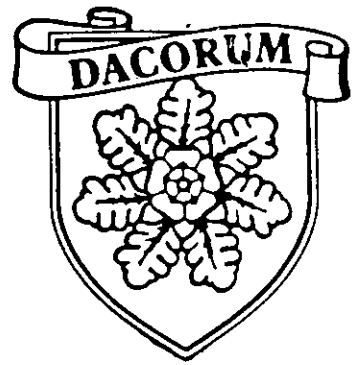
Director of Planning

Date of Decision: 23.05.1991

(ENC Reasons and Notes)

REASONS FOR REFUSAL
OF APPLICATION: 4/0022/91

Date of Decision: 23.05.1991



The proposal would result in a form of development which would be detrimental to the character and visual appearance of the area as a whole and would have a detrimental effect on the amenities of the surrounding properties. The introduction of flats would result in an overintensification of activity on the site and the provision of car parking to the required standard would result in disturbance and loss of privacy to the adjacent residential properties.



Planning Inspectorate
Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ
Telex 449321

Direct Line 0272-218 927
Switchboard 0272-218811
GTN 1374

A/1014X/CO/P

1) DPA AM
2) ANDY

PLANNING DEPARTMENT
DACORUM BOROUGH COUNCIL

Capener Cross Partnership							Ack.		Your reference					
Salter House							C.P.O.	T.C.P.M.	D.P.	D.C.	R.C.	Admin.	File	fkc/c:/wp50/9060/30/Appeal 08.1tr
Cherry Bounce														Our reference
HEMEL HEMPSTEAD							Received 28 OCT 1991						T/APP/A1910/A/91/186452/P2	
Herts													Date 25 OCT 91	
HP1 3AS							Comments							

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR AND MRS M O'MAHONY
APPLICATION NO:- 4/0022/91

- I have been appointed by the Secretary of State for the Environment to determine your clients' appeal against the decision of the Dacorum Borough Council to refuse planning permission for the conversion and extension of existing property to form 6 apartments at The Whins, Gravel Path, Berkhamsted. I have considered the written representations made by you and by the Council and also those made by an interested person. I have also considered those representations made by Berkhamsted Town Council and interested persons to the Council at application stage. I inspected the site on 17 September 1991.
- On a procedural point this appeal is to be determined on the basis of the revised drawings, Nos PC9089/11A, 12A, 13A and 14B. Although the car parking layout drawing No. 9060/12A formed the subject of an amended application to the local planning authority you have invited my consideration of its contents in conjunction with other alternative schemes as part of your response to the Council's statement. I shall therefore treat these drawings as illustrative of the possible car parking layouts for the project.
- The underlying theme of the policies for the area reflect the content of national guidance in promoting housing choice and home ownership, and the economic and efficient use and development of land, including conversions, against the background of maintaining long established conservation policies in areas of acknowledged sensitivity. In particular Policy 18 of the Dacorum Borough Local Plan Written Statement Draft (July 1991) carries forward the objectives of the Hertfordshire Structure Plan Policy 71, in encouraging the conversion of larger houses into smaller units, by establishing a series of criteria in conjunction with detailed environmental guidelines in order to strike a balance between different types of accommodation and the character, appearance and amenity of residential areas. However, because 4 of the 6 units would be provided by extensions to the property, as opposed to conversion in its narrowest sense, the content of Policy 100 relating to dwelling densities is also relevant.
- In the light of the above policies therefore, I consider that the main issues for me to decide are: firstly whether the project would harm the character and appearance of the locality; and secondly, the effect of the proposal on the living environment of nearby residents.

5. The appeal site is located on the outskirts of Berkhamsted. As a result of my visit I formed the view that the predominance of large detached dwellings in mature surroundings, along both sides of Gravel Path, gave the immediate area a semi-rural character of a particularly high standard. Despite the erection of several new dwellings in the locality, some of which occupy comparatively small plots, I observed that Gravel Path retained its spacious characteristics in relation to the more intensive estate type development at Hunters Park.

6. Your clients' house comprises a central 2-storey section flanked on both sides by lean-to adjuncts, albeit with side facing dormer windows, and additional single storey flat roof structures. Although the property as a whole occupies almost the full frontage width of its plot, it is only the upper parts of the dwelling which are clearly visible above the high front boundary fence. As a result, in my opinion, The Whins reflects the spacious characteristics of the locality.

7. Moving on to look at your proposals, the existing single storey elements would be demolished and replaced by 2-storey wings. Notwithstanding their lower eaves and ridge lines and the manner in which they repeat the fenestration style and hip roof arrangement of the main house, I consider that the overall bulk of the dwelling would be substantially increased to the extent that the majority of the site frontage would be occupied by a 2-storey building. In particular, whilst the extension to the north-west would achieve greater separation than the existing garages from the boundary with Crabtrees, the greater scale of the resultant building would be apparent in views above the fence and between the trees, which have unusually high crowns, along the flank boundary. Furthermore, and taking into account the presence of a large tree within the verge, fencing and limited garden planting, the extension at the opposite end of the plot and its projection beyond the rear wall of the existing house would appear particularly dominant as a result of its proximity to Hunters Park. Whilst I acknowledge the opportunity to retain and supplement landscape features, I consider that the spacing of the building as extended would appear cramped and overbearing in the local scene and at variance with the objectives of Policy 100 of the Local Plan.

8. A further element of concern is the appearance of the proposed car parking areas. In this respect I am satisfied that the additional spaces to the front of the house, which already has an element of formality, need not be unduly harmful to the setting of the dwelling. By comparison I consider that the car park to the rear, however skilfully laid out and landscaped, would be intrusive in the existing garden environment which would be compounded by its associated works to achieve access from Hunters Park. In my opinion the consequential change in appearance would seriously erode the transition provided by the appeal site between a housing estate development and the semi-rural qualities of Gravel Path. As such, my findings on this point are reinforced by Policy 18(VI) of the Local Plan.

9. Drawing together my findings on the first issue, I conclude that the proposal would be out of scale and character with its surroundings, and its impact would be significant to the aesthetic quality of an attractive and sensitive semi-rural area. I therefore conclude that the project would cause serious harm to the character and appearance of the locality which represents a specific reason to withhold permission.

10. On the second issue, I noted at my visit that Crabtrees has several windows facing the appeal site. However, in view of the degree of separation between the respective buildings and the absence of main room windows in the north-west elevation of the proposed extension, I have found that the amenity of these neighbours would not be seriously impaired. I also observed that 1 Hunters Park would be separated from the proposed car park at the rear of The Whins by a line of

trees and its own garage. Nonetheless, in my opinion, these factors would not adequately mitigate the effects of noise and disturbance associated with the manoeuvring of vehicles and the closing of car doors, especially during unsociable hours, in view of the number of spaces to be provided. The balance of my findings that the living environment of one neighbour would be seriously affected is therefore a further compelling reason to dismiss your clients' appeal.

11. In summary, the provision of new housing development and the opportunity arising from the conversion and extension of an existing dwelling falls to be considered in the context of its specific environmental implications. In this particular case, I have found the character and appearance of the area and the living environment of local residents to be important and sensitive issues. From my examination of these matters against the objectives of local policies, to which I attach appropriate weight consistent with their status, I conclude that the harm to such interests is decisive to the outcome of this appeal.

12. I have considered all other matters raised but find nothing to outweigh the considerations leading to my decision.

13. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss your clients' appeal.

I am Gentlemen
Your obedient Servant

David M H Rose

DAVID M H ROSE BA(Hons) MRTPI
Inspector