



Department of the Environment and
Department of Transport

Common Services

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Feb
JRB

29 JAN 88
CHIEF EXECUTIVE
OFFICER
1 FEB 1988
File No.
Refer to *Ch. 12*
Closed

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PLANNING DEPARTMENT
DACORUM DISTRICT COUNCIL

Mr and Mrs R Frost
"Sunhaven"
Northchurch Common
BERKHAMPSTEAD
Herts
HP41 LR

Ref.					Ack.	
C.P.O.	D.P.	D.C.	B.C.	Admin.	Our reference	
					T/APP/A1910/A/87/075283/P3	
Received					Date	
- 1 FEB 1988						

Your reference

Our reference

T/APP/A1910/A/87/075283/P3

29 JAN 88

Sir and Madam

Comments

TOWN AND COUNTRY PLANNING ACT 1971 SECTION 36 AND SCHEDULE 9
APPLICATION NO: 4/0068/87

- I have been appointed by the Secretary of State for the Environment to determine your appeal. Your appeal is against the decision of the Dacorum District Council to refuse planning permission for 2 dormer windows at "Sunhaven", Northchurch Common, Berkhamstead. I have considered the written representations made by you and by the District and Parish Councils and also those made by other interested persons. I inspected the site on 15 December 1987.
- From my inspection of the site and its surroundings and the representations made I am of the opinion that the main issue is whether or not the proposal would adversely affect the amenities of neighbouring properties.
- In considering this proposal I have been mindful of what I consider to be the relevant policy of the Dacorum District Plan, Policy 18 which states:- "All proposals for new development should pay particular regard to the following matters: f) privacy, amenity and convenience."
- I appreciate your wish to extend the accommodation in your dwelling to meet the needs of your family. However, it is my opinion that the provision of dormers on both sides of your bungalow would result in a loss of privacy due to overlooking of both properties on either side. Whilst trees and hedges could to some extent ameliorate this situation, they would not, in my view, remove the basic planning objection, since such landscaping has no assurance of permanency.
- I therefore conclude that the proposal would adversely affect the amenities of neighbouring properties. I have taken into account all the other matters raised, including the matter of "permitted development" and the pruning of trees along the north-eastern boundary, but these are not sufficient to override the considerations that have led to my conclusions.
- For the above reasons, and in exercise of the powers transferred to me I hereby dismiss your appeal.

I am Sir and Madam
Your obedient Servant

Mary A. McClune

MARY A McClune DipTP MRTPI
Inspector

DH TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr. R. Frost
Sunhaven
Northchurch Common
Berkhamsted

Two dormer windows
.....
.....
at Sunhaven,
.....
Northchurch Common, Berkhamsted
.....

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 undated and received with sufficient particulars on 16.1.87 and shown on the plan(s) accompanying such application.

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

The proposed development would have a seriously detrimental effect on the amenities and privacy at present enjoyed by occupants of adjacent dwellings

Dated 6 day of March 19 87

Signed *W. B. B. B. B.*

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.