

**Dacorum Borough Council
Planning Department**

Civic Centre Marlowes
Hemel Hempstead
Herts HP1 1HH



GORDON J SCOTT FRICS
2 GRANGE ROAD
TRING
HERTS
HP23 5JP

MR & MRS J MARKWELL
69 GROVE ROAD
TRING
HERTS
HP23 5PB

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION -- 4/00098/00/FHA

**69 GROVE ROAD, TRING, HERTS, HP235PB
SINGLE STOREY AND TWO STOREY SIDE EXTENSION**

Your application for full planning permission (householder) dated 20 January 2000 and received on 21 January 2000 has been **REFUSED**, for the reasons set out overleaf.

A handwritten signature in black ink, appearing to read 'John Kamek'.

Director of Planning

Date of Decision: 10 March 2000

REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/00098/00/FHA

Date of Decision: 10 March 2000

1. Due to the orientation and relationship of the application site to the neighbouring property, the two storey element of the proposed extension will result in a significant loss of light to the windows in the rear elevation of No. 67 Grove Road, Tring, contrary to the aims and objectives of Policy 9 of the adopted Dacorum Borough Local Plan and Policy 10 of the Dacorum Borough Local Plan Deposit Draft 1991-2011.



Appeal Decision

Site visit made on 06 September 2000

by David Metcalfe Dip

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

ED	DP	DC	BC	SS
Rec'd. 13 SEP 2000				File
Comments:				

The Planning Inspectorate
 Room 1404
 Colgate House
 Boulton Street
 Bristol BS2 9DJ
 0117 987 8927

Date
 12 SEP 2000

DA
 LK

Appeal Ref: APP/A1910/A/00/1043656

69 Grove Road, Tring.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
- The appeal is made by Mr & Mrs J Markwell against the decision of Dacorum Borough Council.
- The application (ref: 4/00098/00/FHA dated 20th January 2000, was refused by notice dated 10th March 2000.
- The development proposed is single and two-storey side extension.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The appeal relates to an amended plan that is numbered DWG.1 revised 18/02/2000. This plan shows the flank (north-west) wall of the two storey and rear ground floor extension inset 1 metre from the line of the existing garage wall which abuts the common boundary with the adjoining dwelling No 67 Grove Road.

Main Issues

2. The main issue in this case is the impact of the proposal on the amenities of the adjoining residents in respect of outlook, daylight and sunlight.

Planning Policy

3. The policy framework against which this proposal must be assessed is contained primarily within the adopted Dacorum Borough Local Plan (LP). Policy 8 and the associated Environmental Guidelines (EG's) indicate the range of criteria that have to be satisfied by all development proposals and section 10 of the EG's refers specifically to house extensions. These criteria and guidelines indicate that amongst other matters, scale, bulk, and the relationship with and impact on adjoining properties are matters to be taken into account.

Reasons

4. The appeal property lies within a pleasant residential road where the dwellings are set back from the road frontage. The dwelling is not set square with the road and the adjoining dwelling No. 67 Grove Road is located forward of the foremost part of the appeal dwelling. This means that the appeal dwelling lies to the south of the adjoining property and the existing boundary between the two dwellings is formed by the garage wall of single storey height. The rear of No 67 has been extended at ground-floor to provide two offshoots with a paved patio area between which is clearly a well used outdoor space.

5. The windows of the half landing and a bedroom of the appeal dwelling face directly towards this part of No 67 and permit a high level of overlooking between the two properties – although the flat garage roof of No 69 provides some privacy of the next door's patio area. This juxtaposition of dwellings and windows means that the physical relationship between the two dwellings is already far from ideal. In these circumstances there is a need for great care in the consideration of any extension that imposes into this area.
6. The appeal proposal would significantly heighten the existing amount of brick wall between the two properties. Despite the set back of the two storey element the residents of No 67 would be faced with looking out from a kitchen/living room and a bedroom onto a substantial area of brickwork. This would lie to the south and, while some sunlight and daylight would continue to reach these areas, it would be impeded at certain times of the day – especially during those periods of the year when shorter daylight hours are available.
7. Moreover, this wall would bring a high level of enclosure to the rear rooms of No 67 and present an overbearing dominance on the outside space in that part of the garden. Even in the summer months this feature of the proposal would impinge on the enjoyment of the outdoor space and seriously erode the amenities that residents of this dwelling could reasonably expect.
8. I appreciate that the proposal would remove the present overlooking between some windows and that the extension of No 67 contributes to the present arrangement – although I understand that when that extension was built it was not considered to have any detrimental impact on the amenities of any nearby dwelling. However, I agree with the Council that while there are some advantages that the proposal would achieve in this respect, these are more than off-set by the very adverse impact that the construction of a two storey blank brick wall would bring to the relationship between the dwellings and the level of amenity enjoyed by neighbours. Accordingly I consider the proposal unacceptable.

Conclusions

9. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

10. In exercise of the powers transferred to me, I dismiss the appeal.

Information

11. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.


Inspector