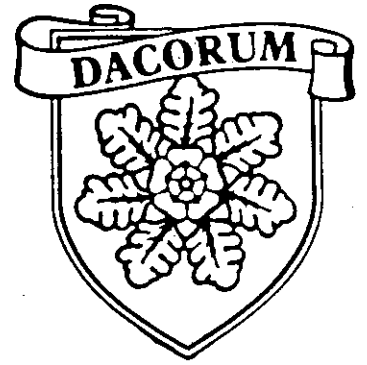


TOWN AND COUNTRY PLANNING ACT 1990  
DACORUM BOROUGH COUNCIL



Application Ref No. 4/0154/91

Summit Homes Ltd  
Maybrook House, Tupwood Lane  
Caterham  
Surrey

Croudace Homes. Croudace Hse  
Godstone Road  
Caterham  
Surrey

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

Site Kinghoe, Beechcroft &, Beechcroft Cott. Chesham Rd, Berkhamsted  
FOURTEEN DWELLINGS GARAGES ACCESS ROAD (OUTLINE)

Your application for *outline planning permission* dated 30.01.1991 and received on 31.01.1991 has been **REFUSED**, for the reasons set out on the attached sheet(s).

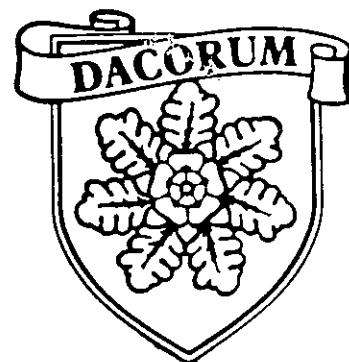
Director of Planning

Date of Decision: 23.05.1991

(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/0154/91

Date of Decision: 23.05.1991



The site, distinguished by the extent of its coverage by trees and variable levels, makes a valuable contribution to the visual amenity of Chesham Road and wider views. Taking into account the site's characteristics, the local planning authority is of the opinion that the proposed number of detached dwellings is excessive and would result in the loss of trees on the site protected by a Tree Preservation Order which would be to the detriment of the amenity of the area. The proposal does not provide for a satisfactory means of access, with the formation of a new access onto Chesham Road which is likely to result in removal of trees and part of the embankment to provide satisfactory access and visibility. No information is given relating to the levels within the site. The proposed units offer a poor relationship to the adjacent properties in Alderley Court, which is positioned at a significantly higher level, resulting in a lack of privacy to the proposed units due to overlooking and overshadowing.



Planning Inspectorate  
Department of the Environment

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

D/418/VR/P

Direct Line 0272-218 927  
Switchboard 0272-218811  
GTN 1974

*1/2/92*  
*2/9/92*

|  |          |      |      |      |   |                |
|--|----------|------|------|------|---|----------------|
| PLANNING DEPARTMENT<br>DACORUM BOROUGH COUNCIL |          |      |      |      |   |                |
| Ref.   |          |      |      |      | Ack.  | Your reference |
| D&P  | T.C.P.M. | D.P. | D.G. | D.C. | Admin.                                      | File           |
| Received 17 FEB 1992                           |          |      |      |      | Our reference<br>T/APP/A1910/A/91/194767/P8 |                |
| Comments                                       |          |      |      |      | Date<br>14 FEB 1992                         |                |

Mr B C Eden  
Croudace House  
Godstone Road  
CATERHAM  
Surrey  
CR3 6XQ

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY SUMMIT HOMES  
APPLICATION NO: 4/0154/91

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Dacorum Borough Council to refuse outline planning permission in respect of an application for the erection of 14 dwellings, garages and access road on the former site of Beechcroft, Beechcroft Cottage and Kinghoe, Chesham Road, Berkhamstead. I have considered the written representations made by you and by the Council and also those made by Berkhamstead Town Council and an interested person directly to the Council and forwarded to me. I inspected the site on 22 January 1992.

2. From the representations made and from my inspection of the site and its surroundings I consider that the principal issue upon which this appeal turns is whether or not the proposed development would entail a significant loss of existing trees, and thus harm the character of the locality in which the site is situated.

3. The approved structure plan seeks to locate new housing development within the confines of existing settlements, but at the same time policy 72 aims to ensure that new housing development maintains and enhances existing landscape features. The Council's emerging local plan clearly reflects these aims, and specifically seeks to preserve existing trees and woodlands.

4. It is clear from the representations that there is no dispute over the principle of redeveloping the appeal site for housing purposes; indeed, outline planning permission was granted in 1988 for 14 dwellings, and a subsequent scheme for 21 dwellings has also received approval. You have emphasized that the proposal which forms the subject of this appeal is identical to the proposal for which outline planning permission was granted in 1988. You have also stated that the drawing which accompanies the present proposal, and which accompanied the previous proposal, is an "illustrative" drawing only.

5. While I acknowledge the "illustrative" nature of the drawing, I nevertheless consider that it serves the purpose of indicating in broad terms the implications of a development of 14 detached dwellings on the character of the site. In my opinion, the manner in which the



houses are located mostly around the periphery of the site and the location of a new access in a different position from the existing accesses implies that the development would require numerous trees to be felled and the destruction of a significant length of the bank which, like the trees on the site, contributes notably to the pleasing, semi-rural character of the locality. On the other hand, I acknowledge that the proposed access could easily be resited in accordance with the scheme recently approved by the Council, so that much less bank would be cut away. I also consider that the houses proposed at the southern end of the site would not be so very close to the existing houses in Alderley Court as to suggest that an unacceptable level of overlooking of the proposed house and their gardens would inevitably occur.

6. However, it does not seem to me that the disposition of the 14 large houses proposed obviously lends itself to convenient modifications, as in the case of the access, so that in my opinion their erection implies the removal of numerous trees around the edge of the site and within its interior. Furthermore, I also take the view that the close proximity of a number of the houses to existing trees which are apparently intended to be retained could lead to pressure from future occupiers of the houses to fell the trees in order to increase the amount of daylight and sunlight reaching the houses.

7. These considerations lead me to conclude that the proposal would result in the loss of a significant number of trees, and because the trees form a notable and attractive feature of the locality their loss would be seriously harmful to the pleasing character of the area. In this respect the proposal therefore clearly conflicts with the aims of both the structure plan and the local plan to conserve the existing landscape and particularly existing trees. In reaching this conclusion I have taken into account the fact that permission was granted in 1988 for an identical scheme. However, since that time the Council have served a Tree Preservation Order and thus unequivocally recognised the important contribution of the trees to the character of the locality; in my opinion the existence of the Tree Preservation Order comprises an important and material change in circumstances since the previous grant of outline planning permission. I have also noted that the approved scheme for 21 dwellings involves the loss of a number of trees, but since the scheme also provides for open space adjacent to trees, particularly along the eastern side of the site, it seems to me that far fewer trees would be lost than would be the case in the proposal which is the subject of this appeal. Accordingly, I do not find that the planning permission for the development of 21 houses and flats justifies allowing the present proposal.

8. I have also taken into account all other matters raised but do not find these to be of sufficient weight as to override the considerations which have led me to my conclusion.

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

I am Sir  
Your obedient Servant

*TERENCE POVEY*

TERENCE N POVEY BA BArch MA FRTPI RIBA MBIM  
Inspector