



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/0161/93

Mr Richardson  
10 Chestnut Drive  
Berkhamsted  
Herts

D Lamb  
14 Tamar Walk  
Leighton Buzzard  
Beds

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

10 Chestnut Drive, Berkhamsted, Herts

TWO STOREY REAR EXTENSION

Your application for *full planning permission (householder)* dated 15.01.1993 and received on 08.02.1993 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 13.05.1993

(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/0161/93

Date of Decision: 13.05.1993



The proposed two storey rear extension would have an unacceptably overbearing effect on the adjacent property at 12 Chestnut Drive, causing harm to that property by reason of loss of light and amenity.

NORTHGATE  
DOCUMENT STAMPED  
TO ENSURE DETECTION  
BY SCANNER

~~1, DN~~  
~~2, AM~~  
~~3, CS~~



# The Planning Inspectorate

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

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Mr Michael Richardson  
10 Chestnut Drive  
BERKHAMSTED  
Herts HP4 2JL

Your reference

Our reference

T/APP/A1910/A/93/227388/P8

Date - 2 NOV 1993

Dear Sir:

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPLICATION NO 4/0161/93

1. 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 Borough Council to refuse planning permission for the erection of a two storey rear extension at No 10 Chestnut Drive, Berkhamsted. I have considered the written representations made by you and by the Council and also those made by the Berkhamsted Town Council and other interested persons. I have also considered those representations made directly by other interested persons to the Council which have been forwarded to me. I inspected the site on 21 October 1993.

2. From the written representations made and from my inspection of the site and its surroundings, I have concluded that this appeal turns on whether your proposed extension would have a detrimental affect on the amenities of the occupiers of the adjoining property, No 12 Chestnut Drive, by reason of loss of daylight, overshadowing or an overbearing appearance.

3. The appeal property is situated on the north side of the road and consists of a detached house which has been extended in the past. Your present proposal is to erect a two-storey extension to provide an extension to a living room at ground floor level and a bedroom at first floor level. You say that the proposed extension would be set back within a 45° angle, a requirement which I note is included within the Council's Environmental Guidelines, but it seems to me that it would reduce the amount of daylight received by the windows in the rear wall of the adjoining property. With a northern aspect, the preservation of daylight is particularly important and I take the view that in this case your proposal would result in an unacceptable loss of daylight to No 12.

4. Again, as the rear gardens of these houses are on their north side, the sunlight they receive is of considerable value. I saw on my site inspection that the part of the rear garden nearest to the house at No 12 was already overshadowed to some



extent by your property during the morning and I formed the opinion that this overshadowing would be made a great deal worse by the proposed extension. Although, because of the aspect, this overshadowing would only occur during the morning, it is, in my view, nonetheless significant and would seriously detract from the amenities of the adjoining occupiers.

5. The Council is also concerned that the proposed extension would have an unacceptably oppressive and overbearing effect on the adjoining property and while this effect is possibly not as important as the loss of daylight and the effects of overshadowing, I agree that the proposed extension would have an adverse effect on the outlook of the occupiers of No 12. I am aware that you have amended your original scheme and reduced the length of the extension and omitted windows in the side elevation to prevent overlooking. I also note that your proposals were received sympathetically by the Council's officers. Nevertheless it seems to me that, for the reasons stated, the proposed extension would detrimentally affect the amenities of the occupiers of No 12 to an unacceptable extent and I consider that planning permission should be refused.

6. I have taken into account all the other matters raised in the representations but do not find them to be so cogent or compelling as to outweigh the considerations that led me to my conclusion.

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

Yours faithfully



D W FRITH DipTP FRTPI FRICS  
Inspector