

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/0213/91

Mr R E J Prior
32 Mountfield Road
Hemel Hempstead
Herts

E G Prior
2 St Davids Close
Hemel Hempstead
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

32 Mountfield Road, Hemel Hempstead,

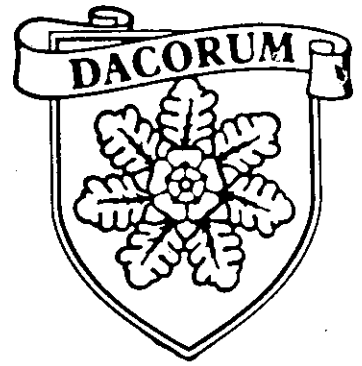
SINGLE STOREY FRONT AND TWO STOREY REAR EXTENSION

Your application for *full planning permission (householder)* dated 18.02.1991 and received on 18.02.1991 has been *REFUSED*, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 10.04.1991

(ENC Reasons and Notes)



REASONS FOR REFUSAL
OF APPLICATION: 4/0213/91

Date of Decision: 10.04.1991

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



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

B/488/SM/P

1) D...
 2) ...

PLANNING DEPARTMENT						GTN 1374
Edward George Prior — RIBA					DACORUM BOROUGH COUNCIL Your reference	
2 St Davids Close					Ack.	
HEMEL HEMPSTEAD					Our reference	
Hertfordshire					T/APP/A1910/A/91/188644/P4	
HP3 8LU					Date	
22 JAN 1992					24 JAN 92	
RECEIVED						

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR R E J PRIOR
APPLICATION NO: 4/0213/91

- 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 planning permission for extensions to front and rear of dwellinghouse at 32 Mountfield Road, Hemel Hempstead, Hertfordshire. I have considered the representations made by you and by the Council and by another interested person. I have also considered the representations made directly by another interested person to the Council which have been forwarded to me. I inspected the site on 15 October 1991.
- The appeal proposal is for a 2 storey pitched roof rear extension to your client's dwelling which would extend some 3.3 m in the rear garden, with a 2 m deep single storey front extension. I note from the representations that the front extension is considered by the Council to be satisfactory, but concern has been expressed regarding the size and siting of the extension at the rear of the property and the resultant effect on the amenities of 34 Mountfield Road.
- From the written representations and my inspection of the site and its surroundings I have formed the view that the principal issue is the effect of the proposal on the living conditions of the occupants of the adjoining property.
- No 32 is one of a pair of semi-detached 2 storey dwellings on the north side of Mountfield Road. The land at the rear of the property slopes away from the house and I note that you have made use of the topography to include a room at lower ground floor level opening out onto the garden. It is proposed to construct the extension within 250 mm of the common boundary with 34 Mountfield Road and in this respect the Council have drawn my attention to various adopted and draft policies, in particular Policies 7, 8 and 9 of the Deposit Draft Dacorum Borough Local Plan.
- The adopted Dacorum District Plan policies, in particular 66, whilst not precluding extensions of this nature, set out criteria which need to be addressed when examining such proposals. It is clear that Policies 8 and 9 and Section 10(v) of Part 5 of the Draft Local Plan set out more precise criteria for assessing the environmental



impact of rear extensions. Having due regard to the timetable for adoption of this Local Plan I shall apply the appropriate weight to these criteria, but consider them to be useful guidance in my considerations of the proposals. In this respect it is clear that the extension would project considerably further into the rear garden than a line drawn at 45° from the mid-point of the adjoining windows in 34 Mountfield Road and would therefore be in conflict with this criteria.

6. You state that despite discussions with the Council you were not aware of these draft policies and take the view that no serious detrimental effect would result under the headings of privacy, sunlight, daylight and prospect, due to the siting and orientation of the extension. I have therefore given particular consideration to all these aspects of the proposal.

7. You argue that due to the orientation of the properties no loss of sunlight would occur and that a calculation of daylight made using the relevant protractors and the criteria contained in CP3, Chapter 1, Part 1 (1964) proves that sufficient daylight would remain if the extension were to be built. The Council has drawn my attention to the fact that Circular 3/72 relating to these standards, has been cancelled, nevertheless I have paid due regard to the calculations provided. I am however concerned at the general bulk and massing of the proposed extension so close to and conspicuous from the adjoining property, despite it being north facing. The fact that the extension would be constructed 2 storeys in height and virtually on the plot boundary would in my opinion be a visual intrusion and lead to an overshadowing of the adjoining property with the consequent harm to the living conditions of the occupiers. I take the view that the existing amenities currently enjoyed by your client's neighbours in 34 Mountfield Road would be affected by the overbearing and dominant nature of the proposed extension, and conclude therefore that planning permission should not be granted.

8. I have taken into account all other matters raised in the written representations, including your references to a similar extension at 47 Mountfield Road, which I have visited, but find nothing of such weight as to override the considerations that have led to my decision.

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



MALCOLM J LEWIS DiplArch(Dist) RIBA
Inspector