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5 FEB 1988

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108 High Street
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Your reference

Our reference					
T/APP/1010/A/87/73595/P4					
Date 4 FEB 88					
Ref.	Ack.				
C.P.O.	D.P.	C.C.	B.C.	Admin.	File
Received - 5 FEB 1988					
Comments					
16 AND SCHEDULE 9					

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 16 AND SCHEDULE 9
APPEAL BY MR & MRS T DENTON
APPLICATION NO: 4/0221/87

- As you know 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 a detached house at 25 Oakwood, Berkhamstead. I have considered the written representations made by you and by the council and also those made by Berkhamstead Town Council and interested persons. I inspected the site on Monday 7 December 1987.
- I find that the principal issues in this case are whether or not your clients' proposed development would have an adverse effect on the character and visual amenity of the surrounding area and whether or not it would prejudice the future of the existing tree belt which is an important feature of the area.
- The planning policies the council consider relevant to this appeal are those contained in the Dacorum District Local Plan adopted in 1984 giving guidelines for new development and for the protection of trees.
- Your clients' application is for outline planning permission. It is accompanied by Drawing No 8703/01 showing how a new house could be built on the appeal site, which existing trees would be affected and that vehicular access would be obtained from Shootersway at its junction with a lane which is also a bridleway.
- In my opinion your clients' proposed development would have an adverse effect on the appearance and character of the surrounding area. It is national policy to make the best possible use of urban land for residential development and also to protect the environment. The effect new development would have on the environment is a material consideration.
- The character of the surrounding area is derived from detached houses and bungalows built on large plots, particularly the houses built in Oakwood. To subdivide one of these plots, as your clients propose, would have a significant effect on the character of the area and on the amenities of the occupants of the adjoining houses by causing overlooking, overshadowing and loss of outlook.
- The proposed house would necessitate the removal of 2 trees and in August 1987 the council permitted these to be removed subject to the planting of replacement trees.

The house would not have a direct effect on the existing tree screen on the south side of Shootersway but having established in principle that building plots in the area can be sub-divided for new development it would be difficult to resist the sub-division of nearby plots which would prejudice the future of the tree belt.

8. I have taken all the other matters raised in the representations into account including the possible interference with the use of the bridleway and reach the decision that the determining issue in this case is the detrimental effect your clients' proposed development would have on the character and residential amenity of the surrounding area.

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

I am Gentlemen
Your obedient Servant

James L. Grant.

JAMES L GRANT BArch ARIBA FRTPI
Inspector