



The Planning Inspectorate

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Mr and Mrs S O'Neill
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Your Ref:

Our Ref:

T/APP/A1910/A/96/272376/P5

Date:

PLANNING DEPARTMENT			
DACORUM BOROUGH COUNCIL			
13 JAN 1997	ACK		
Doc	S.C.	ADP	File
Received		13 JAN 1997	
Comments			

Dear Sir and Madam

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPLICATION NO: 4/0245/96

1. I have been appointed by the Secretary of State for the Environment to determine your appeal against the decision of the Dacorum Borough Council to refuse planning permission in respect of an application for a three-storey office building (renewal) at 1 Park View Road, Berkhamsted. I have considered the written representations made by you and by the Council, as well as those made by interested persons, and by Berkhamsted Town Council at the application stage. I have also considered those representations made directly to the Council which have been forwarded to me. I inspected the site on 19 December 1996.

2. The appeal site is located close to the centre of Berkhamsted, about midway along one of a number of parallel streets which slope up from Berkhamsted High Street. The two single-storey buildings currently on the site are in use as a day nursery. However, the land has been the subject of two permissions for an office re-development, an outline consent granted on appeal in 1988 for a two-storey development, and a subsequent detailed approval in 1991 for a three-storey building [Refs: T/APP/1910/A/88/090004/P5 & 4/1668/90FL]. It is this latter permission which you are seeking to have renewed.

3. Paragraph 60 of Circular 11/95 'The Use of Conditions in Planning Permissions' indicates that applications for the renewal of planning permission should only be refused where, inter alia, there has been some material change in planning circumstances since the original permission was granted. The Council argues that this has happened in this case by virtue of the adoption of the Dacorum Borough Local Plan in 1995, and land use changes in the immediate vicinity of the appeal site. Furthermore, the boundary of the Berkhamsted Conservation Area was extended in 1994 and now encompasses Park View Road, as well as neighbouring residential streets.

4. From the written representations and my inspection of the site and the surrounding area, I consider that there are three main issues in this case. The first is whether, in land use terms, the proposed development would be compatible with the neighbouring area, having regard to the aims of the adopted Local Plan. The second is the effect of the proposed

development on the Conservation Area, taking into account the requirement of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. The third is the adequacy of parking provision.

5. On the first issue, the Dacorum Borough Local Plan 1995 divides each of the main settlements in the Borough into four main categories of land use. These include residential areas, the appeal site falling within the boundary of one of these. Policy 7 of the Local Plan indicates that in residential areas, the introduction or intensification of incompatible non-residential development will be resisted.

6. Looking at the situation 'on the ground', it seems to me that the appeal site lies at an interface between residential properties at the higher, southern, end of the street, and office developments extending southwards from the High Street. Thus, to the immediate north-east of the site there is a chapel that has been converted into offices, and next to that a modern development known as Orbital House. However, a large site directly opposite, formerly occupied by the County Council's Social Services Offices, has been redeveloped for flats following a permission granted in 1990. Also, a former office building to the immediate north-west, sharing a common rear boundary with both the chapel and the appeal site, has become a dwelling following a planning permission granted in 1995.

7. Since the time of the 1992 permission, there has therefore been a considerable change in the land use character of Park View Road in that the stretch which is residential has extended towards the High Street. In this new context, I think that an office development with its 'nine to five' pattern of use would be out of character with the residential area as now defined. Also, on the basis of the design before me, it would look very different from a dwelling.

8. Furthermore, while the adequacy of parking provision is a matter which I shall deal with under the third issue, your proposals show the entire rear garden area as given over to parking with, apparently, very little scope for any planting. In so far as this area would be overlooked from nearby properties, I think that it would appear very bare, and out of keeping with what one would normally expect in a residential area of this sort of density.

9. My conclusion on the first issue is that the proposed office development would be out of character with the primarily residential area that this part of Park View Road has become. For the reasons given, I think that it would be incompatible with this area and contrary to Policy 7 of the adopted Local Plan.

10. Turning to the second issue, Policy 110 of the adopted Local Plan states that in conservation areas new developments will be permitted provided they are carried out in a manner which preserves and enhances the established character of the area. Schemes will be expected to meet a number of detailed requirements; for example, they will need to be of a scale and proportion which is sympathetic to the scale, form, height and overall character of the surrounding area.

11. This part of the Berkhamsted Conservation Area is characterised by its often substantial Victorian and Edwardian houses and the bays, dormers and other architectural features that these display. While Park View Road also contains a number of relatively modern detached houses, as well as the recently built Park View Court flats, these are similar

in height. Also, as is the case in the parallel streets, there is a relatively uniform 'stepping down' of the facades and roof slopes towards the High Street. In my view this contributes significantly to the overall character of the Conservation Area.

12. However, in Park View Road, the stepping down would be disrupted by the proposed three-storey building whose ridge line would be about on level with that of the two adjacent dwellings to the south-west, Nos.3&5 Park View Road. While in the design of the proposed building an attempt has clearly been made to echo some of the features of the older properties, to my mind its scale and form are out of keeping with the general character of the area. I think that the development would appear too dominant within this part of Park View Road.

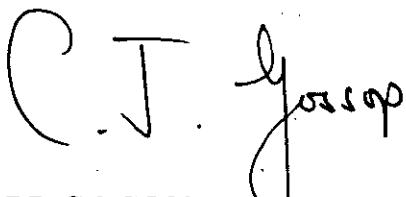
13. Also, a building of the height proposed would, to my mind, have an overbearing effect upon the occupants of the two bungalows to the immediate west, a matter that I was able to assess from my visit to those properties. I therefore conclude that the proposed development would fail to preserve or enhance the character or appearance of this part of the Berkhamsted Conservation Area. This would be contrary to the aims of Policy 110 of the Local Plan as well as the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14. Turning finally to the parking needs of the development, your revised layout shows that a maximum of 13 parking spaces could be provided at the rear of the property. This would be one more than indicated on your application plan. However, there would still be a shortfall of four spaces based on the Council's requirements. Park View Road is already subject to a great deal of on-street parking, upon which many of the houses depend. It seems to me that the additional demand, arising from the needs of those who would be working in the proposed building, as well as from the visitors to it, would be likely markedly to worsen parking conditions and congestion in this relatively narrow street. I do not think that it would be sensible to relax the Council's standards in this instance.

15. In reaching my overall conclusion that this appeal should fail, I have taken the view that the planning circumstances in this part of Park View Road have changed significantly since the time of your 1991 permission. Furthermore, while I have noted your preparedness to seek design changes in the proposals, I have based my decision on the scheme which has been before me. I have taken into account all of the other matters raised in the representations. However, neither these nor anything else before me are of sufficient weight to override my conclusion based on the main issues.

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

Yours faithfully



DR C J GOSSOP BSc MA PhD MRTPI
Inspector



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/0245/96

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Herts
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DEVELOPMENT ADDRESS AND DESCRIPTION
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1 Park View Road, Berkhamsted
THREE STOREY OFFICE BUILDING (RENEWAL)

Your application for *full planning permission* dated 21.02.1996 and received on 28.02.1996 has been **REFUSED**, for the reasons set out on the attached sheet.

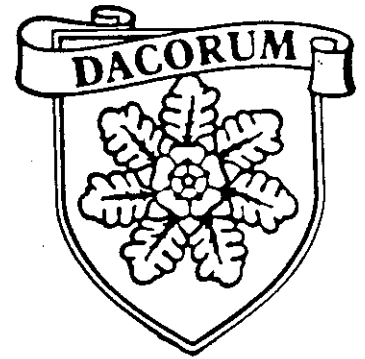
Director of Planning

Date of Decision: 19.04.1996

(ENC Reasons and Notes)

REASONS FOR REFUSAL
OF APPLICATION: 4/0245/96

Date of Decision: 19.04.1996



1. The site lies within a residential area in the Dacorum Borough Local Plan and the development of the site for commercial purposes would be contrary to the policies of the Local Plan. There is no requirement for further office development within Berkhamsted and there is a clear need for further residential development as stated in the Hertfordshire County Council Structure Plan Review.
2. The use of the site for offices would be likely to have an adverse effect on the primarily residential character of this part of Park View Road.
3. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.
4. The design and appearance of the building which lacks articulation, appropriate design details, scale and roofing form, is inappropriate for its location within a residential part of Berkhamsted Conservation Area.