

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/0251/91

Mr. N.A.W. Brown
6 Church View
Long Marston, Nr Tring
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

6 Church View, Long Marston, Nr Tring,

SINGLE STOREY REAR EXTENSION

Your application for *full planning permission (householder)* dated 27.02.1991 and received on 27.02.1991 has been **REFUSED**, for the reasons set out on the attached sheet(s).

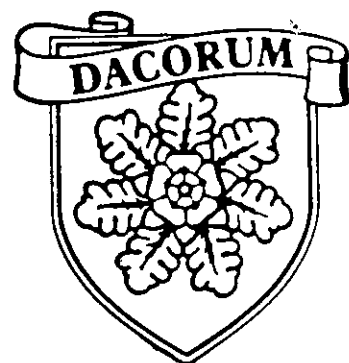
Director of Planning

Date of Decision: 25.04.1991

(ENC Reasons and Notes)

REASONS FOR REFUSAL
OF APPLICATION: 4/0251/91

Date of Decision: 25.04.1991



The proposed extension, due to its height, mass and siting, would have a seriously detrimental effect on the amenity at present enjoyed by occupants of an adjacent dwelling.



Planning Inspectorate
Department of the Environment

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1) *DA* Am
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Mr N A W Brown
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PLANNING DEPARTMENT					
DACORUM BOROUGH COUNCIL					
Ref.					Ack.
C.P.O.	T.C.N.	C.P.	E.C.	D.C.	Admin. Conference
Received					Date
21 OCT 1991					18 OCT 91
Comments					

Your reference

T/APP/A1910/A/91/185304/P8

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
 APPLICATION NO: 4/0251/91

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 for the erection of a rear kitchen extension and internal alterations to form utility room to existing building at 6 Church View, Long Marston. I have considered the written representations made by you and by the Council. I have also considered those representations made directly by Tring Rural Parish Council and interested persons to the Council which have been forwarded to me. I inspected the site on 12 August 1991.

2. From my inspection of the site and its surroundings and my consideration of the written representations made I judge that the main issue in this case is the effect the proposal would have on neighbours' living conditions with particular reference to overbearing, sunlight and daylight.

3. The appeal property is a semi-detached dwelling located within a small estate of similar properties in a predominantly residential area. The proposal relates to the erection of a ground floor rear extension between a previously approved extension that has been erected to the side and rear of the property and the southern site boundary. It would result in a building about 2.7 m high extending along the boundary with No 7 Church View for about 3.4 m.

4. The Council considers that the scheme would have an adverse effect on the amenities of the occupants of No 7. At the time of my site visit I saw that the rear ground floor windows of No 7 serving the kitchen and dining areas face east towards the rear garden of that property. There is a 2-storey extension at the rear of No 7 which is positioned to the south-east of these windows and obstructs views in that direction. In addition there is a high fence of about 2 m along the boundary with No 6 which also restricts the oblique views from them towards the appeal site. I recognise that the kitchen window of No 7 is close to the boundary, but the new building would only extend about 0.7 m above the height of the existing



fencing. Having regard to the effect of the existing 2-storey extension at No 7 I do not consider that such an increase in height would have any significant overbearing effect on the occupants of that property.

5. As regards sunlight and daylight it seems to me that due to its size and siting the existing 2-storey extension at the rear of No 7 already significantly reduces the amount of sunlight and daylight received by the ground floor kitchen and dining room windows of that property. The proposed extension would be on the north-east side of these windows and I believe that the effect on direct sunlight would be limited. Bearing in mind the existing restrictions on daylight received by these rear ground floor windows, their orientation and the height of the proposed extension I also do not consider that there would be any material reduction in daylight to No 7.

6. I have also considered the Council's policies contained in the Dacorum District Plan and the Deposit Draft of the Dacorum Borough Local Plan. In my view the aims of the Council's policies to achieve a high standard of development deserve strong support. However in my view the scheme would not significantly affect the amenities of occupants of adjoining properties and I do not therefore consider that there would be any material conflict with the objectives of the Development Plan.

7. The site is located within the Long Marston Conservation Area and therefore I have also considered the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The extension would be situated to the rear of the existing dwelling between the previous extensions to Nos 6 and 7. I consider that its size and design would relate well to the existing dwellings and extensions and I am therefore satisfied that the proposed development would preserve the character and appearance of the Conservation Area.

8. As regards conditions that might be imposed should I be minded to allow this appeal apart from the standard condition I consider it necessary to impose a condition relating to materials to be used in order to ensure that the scheme harmonises with the existing buildings and appearance of the area.

9. I have taken account of the other matters raised in the representations but do not consider that there are any of sufficient weight to outweigh the planning considerations that have led me to my decision.

10. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the erection of a rear kitchen extension and internal alterations to form utility room to existing building at 6 Church View, Long Marston, in accordance with the terms of the application (No 4/0251/91) dated 27 February 1991 and the plans submitted therewith subject to the following conditions:-

1. the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission;

2. that details/samples of all external facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority before any part of the development commences.

11. Attention is drawn to the fact that an applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

12. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

I am Sir
Your obedient Servant



MRS C W HOARE LLB Solicitor
Inspector