

The Planning Inspectorate

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Your Ref:

PLANNING DEPARTMENT			
DACORUM BOROUGH COUNCIL			
APP/A1910/A/96/271303/P9			
Ref:	DP	DC	Date: 12 JUN 1997

13 JUN 1997

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY T C BIRD
APPLICATION NO: 4/0434/96

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the Dacorum Borough Council to refuse outline planning permission in respect of an application for alteration of an existing dwelling and construction of five new dwellings at Marlin End, Shootersway, Berkhamsted. I conducted a hearing into the appeal on 16 April 1997, and inspected the site on the same day.

2. It was agreed that, apart from the site location plan, all drawings were illustrative, demonstrating a way in which the appellant considered that five new houses could be built on the site after demolition of part of the existing house. I have determined your client's appeal on that basis.

3. From my inspection of the appeal site and its surroundings, and from all that I have heard and read I consider the main issue in this appeal to be the effect of the proposal on the character and appearance of Shootersway in the vicinity of the appeal site.

4. The development plan is the Hertfordshire Structure Plan Review and the Dacorum Borough Local Plan. Structure Plan Policy 27 aims to provide for the housing needs of the County, and Policy 57 aims for the maximum contribution to be sought within existing towns, and Policies 13 and 15 of the Local Plan set out the strategy for achieving targets through retention of existing dwellings and provision of new ones. Policy 49 of the Structure Plan and Policy 1 of the Local Plan seek to concentrate development in identified towns, such as Berkhamsted, where Policy 71 of the Structure Plan and Policy 7 of the Local Plan encourage appropriate residential development, which should be at as high density as possible, consistent with high design standards. Within residential areas the effect of the density of development on the amenity and character of the surrounding area will be carefully considered, particularly in relation to the factors set out in Policy 101 of the Local Plan.

5. Aims to protect and enhance existing settlements, and to conserve and enhance the quality and viability of the urban environment are included in Policies 47 and 48 of the Structure Plan. Generally development should be of a high standard in terms of overall design, should respect both landscape and townscape, the amenity of neighbourhoods, and the safety of road users, traffic and parking are to be accommodated, as set out in Policy 8 of the Local Plan. Environmental aims including the preservation and planting of trees and woodlands, are included in Policies 94 and 95 of the Local Plan.

6. Shootersway lies on the edge of Berkhamsted, and in the main is developed with large houses on appropriately large plots. Houses are generally set well back from the road behind wide verges and hedges. One of the most conspicuous features is the mature planting along the road frontages and in many of the gardens, the houses being to a great extent visually subordinate to the trees and hedges in front of, and around them. This landscaping blends easily with the more natural woodland and hedgerows along the undeveloped sections of Shootersway to the north-west, giving the area a semi-rural character.

7. There is an extant outline planning permission (application ref: 4/1030/94, approved on 20 October 1994) for construction of five new dwellings on the Marlin End site, which would entail demolition of the existing house. To my mind the illustrative layout for this proposal demonstrates that five houses could be accommodated on the site, with three plots towards the back of the site, and two on the frontage, with an access road to the houses behind. With the types of houses and plot sizes envisaged in both the approved outline proposal and the appeal proposal it is clear to me that there could be no more than three houses to the rear of the site - the space is not available. The appeal proposal is for six houses on the site, and it is therefore inevitable that three of these would need to be to the front of the site, as shown on the illustrative plan.

8. The width of the appeal site is approximately 61 metres, and given the position of the existing house, after demolition of the extension there would be about 22 metres available between its north-western end and the north-western site boundary, where one of the new houses would be sited (Plot 2 on the illustrative plan). There would be about 26 metres available between the south-eastern end of the existing house and the south-eastern boundary, where a second new house (Plot 3 on the illustrative plan), and the access road would need to be accommodated.

9. The house plans shown on the illustrative drawings have widths in the region of 12.5 to 16 metres, but it was clear that there could be considerable flexibility in their shape and size. Nevertheless, houses recently built on the neighbouring Burghfield site, and in The Hemmings to the north-west of the appeal site, are of commensurate width to the illustrative plans, and other houses nearby, such as Mossy Bank and Blackberry Lodge to the south-east, are very much larger. In my opinion very much smaller houses than those shown on the illustrative drawing would be inappropriate for the area.

10. If the houses were to be at the lower end of the width range, and allowing equal margins between the flank walls and the plot boundaries for each house, the house on Plot 2 would be slightly over 6 metres from the end of the existing house, and about 3 metres from its north-eastern boundary. If the shared surface access road were to be 4.1 metres wide, as was suggested would be the minimum, then the distance between the flank walls of the existing house and the proposed Plot 3 house would be just over 10 metres, with the

access road in between. The distance between the flank wall of the house on Plot 3 and that of Mossy Bank, the neighbouring house to the south-east, would be in the region of 5 metres.

11. In my view, amongst the most important characteristics of Shootersway are that houses are of relatively wide frontage, and that there are generous spaces around and between them, with dense planting of trees, shrubs and hedges. I accept that the appeal proposal need not significantly harm the existing trees and other planting on Shootersway boundary, nor significant trees elsewhere on the site. The new houses would be highly prominent from Shootersway through existing gaps in the frontage planting, and through the large gap that would be formed by the new access, and in my opinion would appear as a closely spaced row of houses, with inadequate space between them to accommodate planting of sufficient scale to be in keeping with the surroundings.

12. I am particularly concerned about the proximity of the existing house, and the proposed Plot 3 house, to the access road, where I consider that a pinch point would result, quite un-typical for the area. It was argued that there is a similar constriction between the gable wall of 3 The Hemmings, the road, and the fence on the opposite side. However I saw that the nearest building to the gable end of 3 The Hemmings is a single storey garage, some 18 metres away, and that there is a group of substantial lime trees and a hedge intervening. In contrast, on the appeal site there would be two storey houses separated by a gap of around 10 metres, with little opportunity for substantial planting to soften the appearance.

13. As a result of the alignment of Marlin End on the site, and the position of the access onto Shootersway, Plot 3 would narrow towards the front of the site. I accept that there would be flexibility in the precise location of the access, allowing for greater plot width on the frontage, but even so this narrowing, and the position of the protected lime tree on the south-eastern site boundary would constrain the siting of the Plot 3 house so that it would be further to the south-west than either Marlin End or Mossy Bank. Although I am not convinced that the new house would necessarily have a dominating effect on the outlook from Mossy Bank, I consider that the appearance would be of a house wedged between Marlin End and Mossy Bank, again with very limited opportunity for planting between the buildings.

14. There have been several relatively recent residential developments in the neighbourhood entailing the sub-division of the sites of large houses, notably on the adjacent Burghfield site, where four houses are nearing completion, and The Hemmings, where there are seven houses. In the case of the Burghfield houses, Unit 1 fronts onto Shootersway, while Unit 2 faces The Hemmings, with its flank onto Shootersway. Unit 1 is separated from the appeal site by a very tall and dense laurel hedge, and there is a gap of approximately 14 metres between Units 1 and 2. No. 1 The Hemmings faces Unit 2 on the other side of the road, and also has its flank onto Shootersway.

15. To my mind this arrangement, with the relatively wide spacing provided by the intervening gardens, maintains the spacious and well planted nature of Shootersway, even though the plot on which Unit 1 stands is about 23 metres wide on its road boundary. I also saw that the two recently built houses to the rear of Balcary, a large house about 150 metres to the north-west of the appeal site, are set in very spacious surroundings, and are so far back from the road, that in my opinion they have virtually no impact on Shootersway itself.

16. In summary, I consider that although three houses might be accommodated to the rear of the appeal site, the proximity of the three houses and the access road on the frontage would result in a development of cramped appearance, which I consider would be incongruous in the context of the semi-rural surroundings. I conclude on the main issue that the proposals would cause significant harm to both the character and appearance of Shootersway in the vicinity of the appeal site.

17. Although the proposals would provide additional housing within the Berkhamsted urban area, they would not enhance the existing settlement or built form of the area, nor could appropriate landscaping and tree planting enable assimilation of the scheme into the area. The proposals would not therefore accord with the aims of Policies 47, 48, 57 and 71 of the Structure Plan, nor of Policies 7, 8, 95 and 101 of the Local Plan.

18. I have considered all other matters before me, including the arguments that the effect of the development on the surrounding countryside would be minimal, and that viewed from the south-west the scheme would merge with the built-up background, as was considered by my colleague in relation to the Burghfield appeal (ref: T/APP/A1910/A/90/147019/P7). This may well be the case, but to my mind does not mitigate the harm otherwise caused to the character of the area, and neither this nor any other matter is sufficient to outweigh the considerations that have led me to my decision.

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Stephen Brown', written in a cursive style.

Stephen Brown MA Dip.Arch(Cantab) RIBA
Inspector