

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0435/93

S P Gomm  
Sunnyview  
Chivery  
Nr Tring  
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

69 High Street, Northchurch, Herts

REMOVAL OF CONDITION ON APPROVAL OF DETAILS (ACCESS) PURSUANT 4/0141/93

Your application for *the removal of a condition on a previous permission* dated 21.03.1993 and received on 24.03.1993 has been **GRANTED**, subject to any conditions set out on the attached sheet(s).

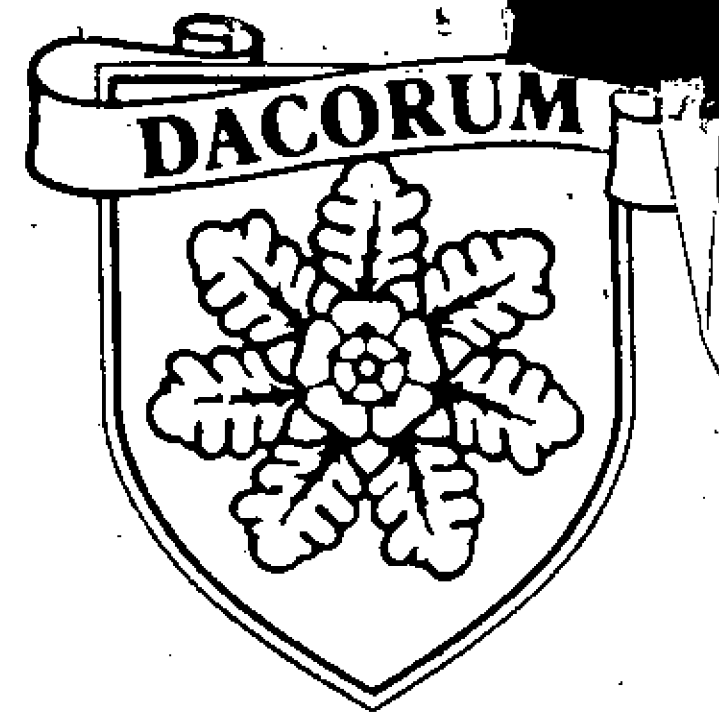
Director of Planning.

Date of Decision: 18.05.1993

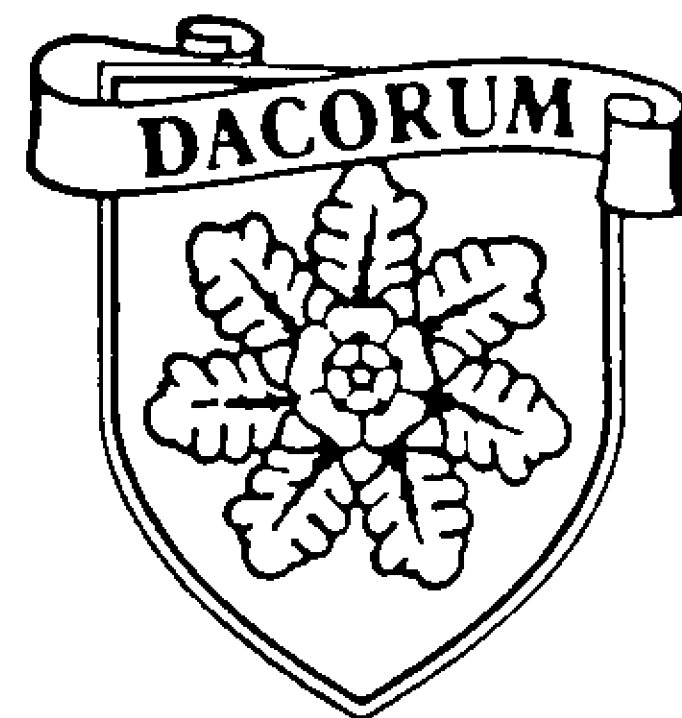
(encs. - Conditions and Notes).

CONDITIONS APPLICABLE  
TO APPLICATION: 4/0435/93

\*Date of Decision: 18.05.1993



Grant permission for removal of Condition on Planning Permission 4/0141/93.



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0141/93

S P Gomm  
Sunnyview  
Chivery  
Nr Tring  
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION

=====

69 High Street, Northchurch, Herts

SUBMISSION OF DETAILS OF ACCESS PURSUANT TO P/P 4/0107/92 (TWO STOREY SIDE & REAR  
EXTENSION)

Your application for *the approval of details or reserved matters* dated 07.01.1993  
and received on 02.02.1993 has been **GRANTED**, subject to any conditions set out  
on the attached sheet(s).

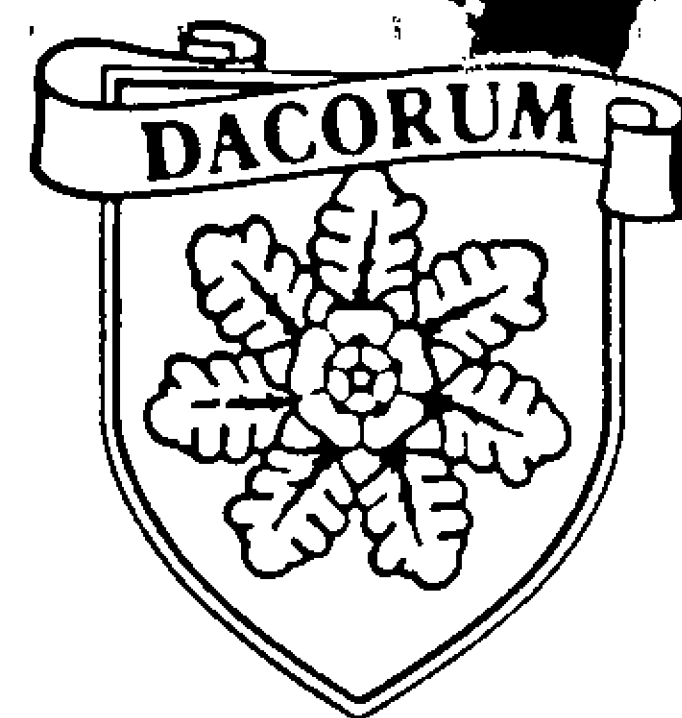
Director of Planning.

Date of Decision: 04.03.1993

(encs. - Conditions and Notes).

CONDITIONS APPLICABLE  
TO APPLICATION: 4/0141/93

Date of Decision: 04.03.1993

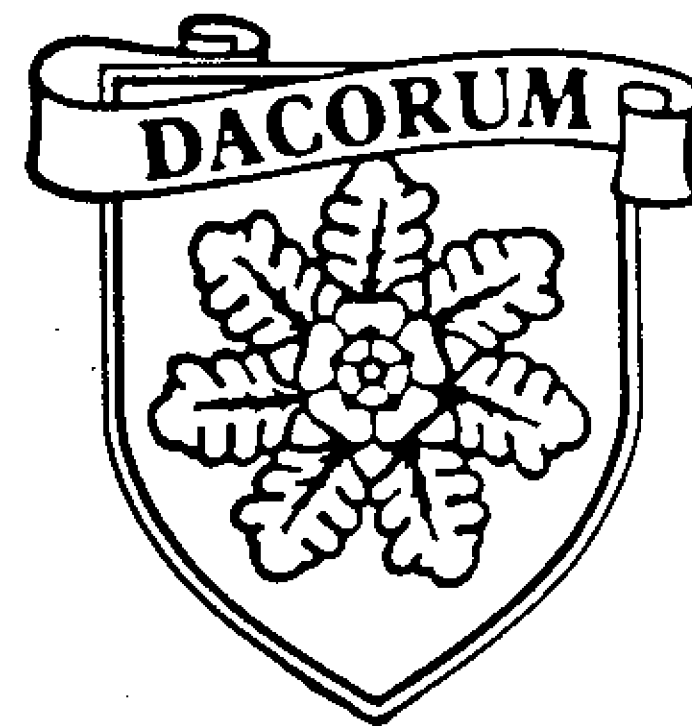


No work shall begin on the construction of the access until the opening of the Berkhamsted By-Pass.

Reason: In the interest of highway safety and the free flow of traffic on the A41.

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL



Application Ref No. 4/0107/92

S Gomm  
Sunnyview Chivery  
Nr Tring  
Herts

D R Foster  
57 Patrick Way  
Aylesbury  
Bucks

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

69 High Street, Northchurch,

TWO STOREY SIDE AND REAR EXTENSION

Your application for *full planning permission (householder)* dated 17.01.1992 and received on 30.01.1992 has been **REFUSED**, for the reasons set out on the attached sheet(s).

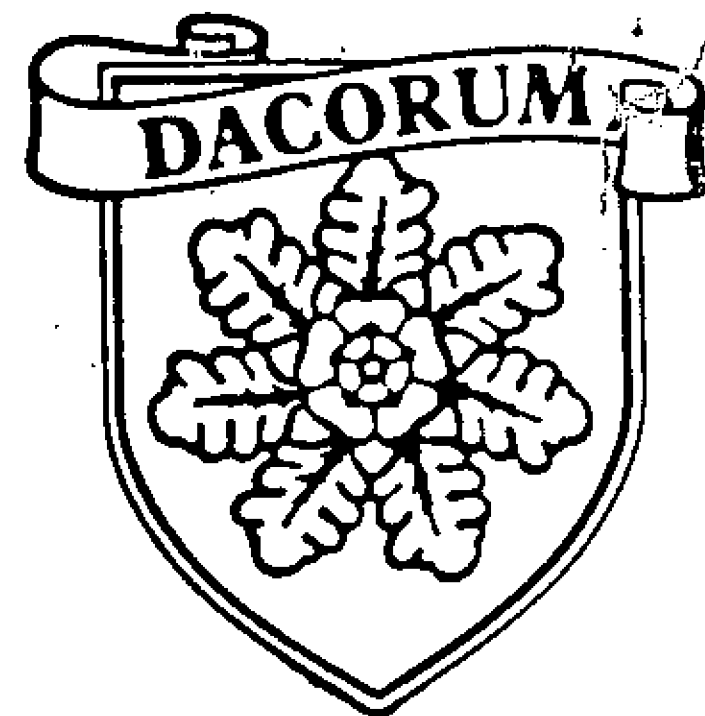
Director of Planning

Date of Decision: 19.03.1992

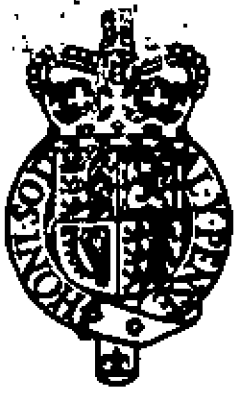
(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/0107/92

Date of Decision: 19.03.1992



The extension proposed would be likely to lead to the use of the existing access to the High Street. This access is sub-standard and its use would result in conditions prejudicial to highway safety.



# The Planning Inspectorate

D/306/VR/P

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

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GTN 1374

Handwritten notes and signatures, including a large '3' and '03'.

PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL					
Douglas R Foster Esq			Your Ref:		
Building Design Consultant			Ack.		
57	Patrick Way	D.C.	B.C.	Admin.	File
AYLESBURY			Our Ref:		
Bucks			T/APP/A1910/A/92/211672/P8		
HP21 9XJ			Date: 19 NOV 1992		
20 NOV 1992					
Comments					

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR S GOMM  
APPLICATION NO: 4/0107/92

1. As you know, the Secretary of State for the Environment has appointed me to determine the above-mentioned appeal against the decision of the Dacorum District Council to refuse planning permission for a 2 storey side and rear extension, after demolition of outhouse, at 69 High Street, Northchurch.

2. I made an accompanied inspection of the site and surroundings on 9 November 1992, and have considered the written representations submitted by you, the local planning authority and Northchurch Parish Council, including those sent directly to the council which have been forwarded to me. It is my opinion that the decision in the appeal rests primarily on whether an extension of the modest size proposed would result in such an increase in the use of the existing sub-standard vehicular access that it is necessary to refuse permission on road safety grounds.

3. The old, 2-bedroomed, house, with outside toilet, subject of the appeal is at the eastern end of a terrace of Grade II Listed Buildings within the designated Northchurch Conservation Area. Although it appears weather-proof, the property is in a poor state of repair and has apparently been unoccupied for some time. In addition to the outhouse it is intended to demolish, there is a detached, single wooden garage, without doors and in an almost derelict condition, that would apparently be retained. There is an existing vehicular access on the eastern side of the site to Northchurch High Street, which is at present part of the very busy A41 Trunk Road, but a bypass is now under construction. The visibility distances obtainable along the road at the point of access do not meet present-day criteria, and in an easterly direction is particularly restricted as there is a wall some .75 m in height only about .3 m from the kerb

infront of the adjacent church. There is a footway along the frontage of the appeal site that ends at the church.

4. An application for a larger extension, including an additional bedroom, was made in 1990, but it was refused as being a gross overdevelopment with inadequate amenity space. The land at the side of the house containing the garage which is now part of the site was not then included, and there is no longer any objection to the extension, other than on account of the poor means of vehicular access; in fact the proposed extension would improve the appearance of the Listed Building and thus enhance the character of the Conservation Areas within which it is located.

5. The need to use the present vehicular access could be avoided altogether as there is an existing double driveway to land at the back of the adjacent church from Bell Lane, a side road running off the A41, and it abuts the rear boundary of the appeal site. However for some reason not explained to me, the church authorities have decided not to allow this. In recent times the existing access has only been used periodically in connection with inspections of the property, and to carry out emergency repairs to which you refer in the grounds of appeal but, in view of the church's decision, there would be a considerable increase in its use if the house were re-occupied after being refurbished, even if the requested extension were not permitted. While this would be undesirable from road safety point of view, it does not seem to me to justify refusing permission for an extension to which there is no other objection, unless it could be shown that such development would itself be likely to lead to further traffic movements.

6. The existing house has 2 bedrooms, and although it is small, it is possible that future occupants might have 2 cars, for which off-street parking and a turning area could be provided now that additional land has been added to the previous very limited curtilage. If the house were extended as now proposed, it would still have only 2 bedrooms, and the off-street parking requirement would remain the same. It therefore does not seem to me that the addition of a small hallway and dining room on the ground floor, together with internal re-arrangement on the first floor, including the provision of a bathroom, would cause an increase in the use of the access.

7. This does not of course alter the fact that the existing access is unsatisfactory. However adequate visibility splays could be provided along the footway to safeguard pedestrians if the point of access were repositioned away from the eastern flank boundary of the site, and this would also improve the visibility along the highway in an easterly direction from nearer the kerbside than the 2.4 m normally required. It is also relevant that there is a 30 mph speed limit, good street lighting, and no visual or physical obstruction of the carriageway as parking is not allowed at any time on either side. I have not been informed of any road accidents along his particular stretch of road which, even though it is quite



narrow, is straight. A further material consideration is that a bypass is now under construction, and the High Street at Northchurch will thus be down-graded in status from a Trunk Road in due course. The road will probably remain fairly busy as there is a route from Berkhamsted to Dunstable and the north via the B4506 road which joins the A41 just to the west of the appeal site, but the impact of a greater use of the access on the free-flow of traffic should be very limited in comparison, with present conditions.

8. In the light of the above considerations, I am of the overall view that any harmful effect on road safety and traffic movement arising from the increased use of the access (modified as stated) would be as great as it might otherwise have been, and should reduce. While I would accept it would have been preferable in connection with a resumed residential use of No 69, for access to have been obtained from Bell Lane, the safety of pedestrians and traffic would not, in my view, be so affected by the proposed extension as to necessitate refusing permission for it.

9. Normal conditions regarding the time limit and approval of external materials would be necessary, and in addition a condition should be imposed to ensure the retention of the existing front door and windows of the house, as shown on Dwg No 1492.024 and referred to by the council in their suggested list of conditions if permission were to be granted. I am also of the opinion that 3 further conditions would be necessary; first to require the provision of 2 car parking spaces, and a turning area on the site so that vehicles leave in forward gear; second to require the existing access to be repositioned as far as possible to the west in order to provide improved vision splays along the footway and to maximise the visibility distance obtainable along the road in an easterly direction; and lastly to require the latter 2 conditions to be complied with before the extension is erected in order to minimise any danger to traffic and obstruction of the highway during the period of construction.

10. I have examined the other matters raised in the written representations, but there is nothing of sufficient substance to outweigh those considerations that have led me to my decision that planning permission should be granted.

11. For the above reasons and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for a 2 storey side and rear extension, after demolition of outhouse, at 69 High Street, Northchurch in accordance with the terms of the application (No 4/0107/92) dated 17 January 1992, 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 letter;

2. the materials to be used externally for the extension hereby permitted shall match those of the existing house, in both colour and texture;

3. the existing front door and windows of the house shall be retained in their present positions as shown on the plan ref 1492.02A accompanying the application;

4. off-street parking/garaging for 2 cars, together with a turning area, shall be provided within the site and retained at all times in the future for use as such;

5. the layout of the existing access shall be altered, as shall be agreed with the local planning authority, to meet the requirements in sub-paragraph 3.68, Chapter 3 of Design Bulletin 32 - Second Edition, and to maximise the visibility distances obtainable along the highway in an easterly direction;

6. the 2 parking spaces and the turning area referred to in condition no 4 above shall be provided, together with the redesigned access required by condition no 5, before the erection of the extension hereby permitted commences.

12. 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 consent, agreement or approval is refused or granted conditionally or if notice of the authority's decision is not given within the prescribed period.

13. 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. Your attention is drawn to the provision of Section 74 of the Planning (Listed Buildings) and Conservation Areas) Act 1990 which requires consent to be obtained prior to the demolition of buildings in a Conservation Area. Your attention is also drawn to the provisions of Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires consent to be obtained for any works for the demolition, alteration or extension of a listed building which would affect its character as a building of special architectural or historic interest.

I am Sir  
Your obedient Servant



J. M. DANIEL DFC FIMgt  
Inspector