



# Department of the Environment and Department of Transport

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14 MAR 1988

File ref. 14/3  
Refer to 14/3  
Classified

24211

Timothy Howard Limited  
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BERKHAMSTED  
Hertfordshire  
HP4 3EY

14 MAR 1988

Your reference

Our reference

T/APP/A1910/A/87/076893/P4

Date

11 MAR 88

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPLICATION NO: 4/0794/87

- I have been appointed by the Secretary of State for the Environment to determine your appeal against the decision of the Dacorum District Council to refuse planning permission for the erection of 4 flats, after the demolition of lock-up garages, on land adjacent to Smith Street (off George Street), Berkhamsted.
- From my unaccompanied visit to the site and inspection of the surroundings on 4 January 1988, and from my consideration of the written representations made by you, the local planning authority and interested persons, I am of the opinion that the decision in this appeal rests primarily on 3 issues. First whether the loss of the lock-up garages - or off-street parking spaces if they were demolished - would lead to additional car parking and consequent congestion in George Street, second whether the building would excessively dominate the adjacent land, and third whether there would be sufficient space on the site for car parking with adequate turning facilities, as well as to set-off the flats satisfactorily in these surroundings.
- The appeal site, which extends to some 360 sq m in total, is situated on the northern bank of the Grand Union Canal at the end of a short, unmade cul-de-sac (Smith Street) running off George Street. At present it contains 11 lock-up garages all of which are occupied - 8 by residents of George Street.
- Most of the dwellings in George Street, which are terraced and of long-standing, lack off-street parking facilities and, as the carriageway is quite narrow, any increase in on-street parking would add to the congestion that already occurs. The loss of the lock-up garages, or the loss of the site for parking if they have to be demolished for financial reasons, would therefore be most undesirable and have serious consequences unless some suitable alternative arrangements could be made. I have no information of any consideration having been given to this. My conclusion on this point is that the loss of off-street car parking space arising from this project is an unsatisfactory feature, but is not in itself a compelling reason to refuse.
- The effect of the building on adjoining land must next be considered. Because the site is relatively small (only some 13.5 m in width), the flats would be very close to 2 of the site boundaries. Positioned as shown on the plan accompanying the application for detailed planning permission, they would undesirably dominate the recreation ground on the northern side and the vacant land on the eastern side. This would be harmful to the existing use of the former, and might be prejudicial to any alternative uses that might be proposed for either area in the future. It would thus be harmful in terms of the council's adopted District Plan Policy 18.

6. The large coverage of the site by the proposed building would of course also result in there being little space for private amenity use by residents of the flats and, as shown on the submitted plan, it would not be possible to provide adequate off-street car parking and at the same time meet the local highway authority's normal requirements for a turning head for service vehicles. The latter point is indicative of the cramped nature of the proposal, and is, in my view, a significant objection. While you propose to equip the flats with automatic washing/drying machines, and Circular 22/80 advises that the amount of amenity space to be provided for new dwelling units is, for the most part, a matter for the purchaser/tenant to decide with the developer, I consider a development that would cover nearly all the site with buildings and hard-surfaces would be out of keeping with the character of this particular locality.

7. I note your reference to Circular 15/84, which stresses the need to make the best possible use of land within urban areas to help meet the housing need, but it also states that each application must be judged on its merits and in this instance I am of the opinion that the above deficiencies make the project unacceptable overdevelopment.

8. I have examined all the other matters raised in the written representations, including the constraints imposed by the line of a sewer running across the site which would appear to make the present proposal as shown on the submitted plan unsatisfactory (even though it might be possible to overcome the problem if there had been no other objection), and there is nothing of sufficient substance to alter my conclusion that demonstrable harm, in the sense implied in Circular 14/85, would result from permitting the proposal.

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



J M DANIEL DFC FBIM  
Inspector