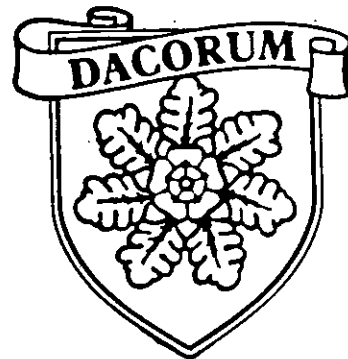


TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL



Application Ref No. 4/0835/91

P R Passingham
3 Bedford Street
Berkhamsted
Herts

Berkhamsted Building Serv
70 George Street
Berkhamsted
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

3 Bedford Street Berkhamsted

SINGLE STOREY SIDE/REAR EXTENSION

Your application for *full planning permission (householder)* dated 12.06.1991 and received on 17.06.1991 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 05.09.1991

(ENC Reasons and Notes)

REASONS FOR REFUSAL
OF APPLICATION: 4/0835/91

Date of Decision: 05.09.1991



The proposed extension would result in inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.



Planning Inspectorate
Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ
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B/659/JLC/P

Direct Line 0272-218 927

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GTN 1374

PLANNING DEPARTMENT
DACORUM BOROUGH COUNCIL

RET. ACK. Your reference

DoP I.C.P.M. D.P. D.C. B.C. Admin. File

Mr R Smith
Berkhamsted

Building Services

70 George Street
BERKHAMSTED
Herts HP4 2EQ

Received 21 FEB 1992

Our reference

T/APP/A1910/A/91/192629/P8

Date

Comments

20 FEB 1992

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY PAUL PASSINGHAM
APPLICATION NO: 4/0835/91

1. As you know I have been appointed by the Secretary of State for the Environment to determine this appeal which is against the decision of the Dacorum Borough Council to refuse planning permission for single-storey side and rear extension to form utility/store, wc and 2 bedrooms at 3 Bedford Street, Berkhamsted. I have considered the written representations made by you and by the Council. I inspected the site on 9 December 1991.

2. From the representations made and from my visit to the site and the surrounding area, I consider that the principal issue in this appeal is whether the proposal would lead to unacceptable congestion on the public highway.

3. The appeal site is a semi-detached house in a generally residential area near the edge of Berkhamsted. Your client's proposal is for a single-storey extension at the side and rear of the property. At present there is a detached garage which is reached by an access way at the side of the house. The proposed extension would require the removal of the garage as its site would be incorporated in the extension as would part of the side access. The Council did not object to the extension itself but rejected the proposal as it considered that adequate parking could not be provided within the curtilage of the site. The Council's parking standards guidelines adopted in 1989 would require 3 spaces for the extended property. They accept that at present there is space for at least 2 vehicles but consider that the construction of the extension would effectively remove 2 spaces so that the required number of spaces could not be achieved. They also say that there is insufficient space at the front of the property and that parked vehicles would overhang the site boundary.

4. In your response to the Council's statement you submit a revised plan which corrects errors found on the submitted plan with regard to the dimension of the area in front of the property available for parking. This plan shows 4 parking spaces and you indicate that in addition a garage is rented in the nearby block of garages that I saw during my visit. The revised plan indicates a dimension of 4.6 m from the site boundary to the front wall of the house.

100%



RECYCLED PAPER

5. I saw during my visit that Bedford Street which is a cul-de-sac is an unmade road with no footways. I noted that there was significant on-street parking here and in nearby roads. In such a location I consider that it is important that any development should have adequate parking to ensure that present unsatisfactory conditions should not be made worse. The Council's specified minimum parking area is 2.4 m x 4.8 m which is a commonly used modern standard. Nevertheless parking areas do vary and you refer to parking areas in the town centre of 4.5 m x 2.3 m in the Tesco car park and 4.5 m x 2.2 m at Waitrose which I saw during my visit to the area and which were presumably laid out before the Council's current standard was adopted.

6. Planning Policy Guidance Note 13 which gives advice on highways considerations in development control decisions makes it clear that eg parking policy should not be applied uncritically; each application is to be considered on its merits. In the present case 4.6 m is available which is adequate for a medium size car to be parked without overhang and I am not convinced that it would be wrong to allow this application where the depth of the available parking area is only a little below the Council's standard and is in excess of that provided in 2 well used public car parks in the town.

7. The Council refer to the decision in an unsuccessful appeal relating to a site in the area where the Inspector supported the Council's parking scales for various types of development but the question of the number of spaces is not an issue in the present appeal. I have considered all the matters raised in the representations but none outweighs the factors which have led me to my decision that your client's appeal should succeed. The Council suggested, and you agree, that two conditions in addition to the normal time condition should be attached to the permission relating to materials and the need for specific permission should it be wished to insert a window in the north elevation of the extension. The northern wall of the extension faces across residential land and I consider it right that the suggested condition together with one relating to materials should be imposed.

8. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for single-storey side and rear extension to form utility/store, wc and 2 bedrooms at 3 Bedford Street, Berkhamsted, in accordance with the terms of the application (No. 4/0835/91) dated 12 June 1991 and the plans (as amended) 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;

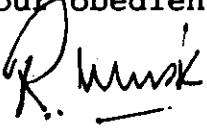
2. the materials used externally on the development hereby permitted shall match both in colour and texture those of the existing building;

3. notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking and re-enacting that Order), no windows shall be inserted in the north elevation of the extension hereby permitted without the prior written consent of the local planning authority.

9. 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

A handwritten signature in dark ink, appearing to read 'R. B. Musk'. The signature is written in a cursive style with a horizontal line underneath the name.

R B MUSK BA CEng MICE MISTructE
Inspector