



# The Planning Inspectorate

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GLINCORUM BOROUGH COUNCIL

Ref.						
DOY		D.P	D.C	B.C	A.C	For
Your Ref: NL/1162 received - 1 AUG 1997						
Our Ref: Comments T/APP/A1910/A/97/277858/P2						

Date: 31 JUL 1997

John Phillips Planning Consultancy  
Bagley Croft  
Hinksey Hill  
OXFORD  
OX1 5BS

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR C REVELL  
APPLICATION NO: 4/0871/96

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of Dacorum Borough Council to refuse planning permission in respect of an application for 2 x 1 bedroom houses and 4 x 2 bedroom houses at 55 King Street, Tring. I have considered the written representations made by you and by the Council, and also those made by interested persons. I have also considered those representations made directly to the Council which have been forwarded to me. I inspected the site on 4 June 1997.

2. From my inspection of the site and the surrounding area and from the representations made, I consider that there are three main issues in this case. The first issue is the effect of the proposal on the character and appearance of the Tring Conservation Area. Secondly, whether the proposed dwellings would provide acceptable living conditions for future occupiers, in relation to the provision of garden space. Finally, the effect of the proposal on the free flow of traffic in King Street, in relation to the amount of on-site car parking.

3. I understand that planning permission was granted in 1988 for a similar residential development on the site, and that there is a dispute between the parties as to whether the works which have been undertaken constitute the implementation of that permission. However, that matter is not before me.

## Policy context and planning guidance

4. From the evidence before me the development plan comprises the Hertfordshire County Structure Plan Review, incorporating Approved Alterations 1991 (SP) and the Dacorum Borough Local Plan 1995 (LP). The site is within the built up area of Tring, where SP Policies 57 and 71 seek the maximum housing contribution from sites and establish a presumption in favour of residential development, provided there is no major adverse environmental impact. At the local level, LP Policy 1 identifies Tring as a town to which development is generally directed, whilst LP Policy 17 encourages the provision of one and two bedroom houses.

5. In relation to the first issue, my attention has been drawn to a number of general policies relating to the protection of the built environment. In particular, SP Policies 47 and 48 seek to protect existing settlements and the quality of the built environment, whilst making full use of opportunities for recycling urban land. SP Policy 72 and LP Policy 101 state that housing will be permitted at as high a density as can be achieved compatibly with a high standard of design. These policies accord with the advice in Planning Policy Guidance Note 3 (PPG3), which is that full and effective use should be made of land within existing urban areas. LP Policy 8 sets out a series of criteria related to the quality of development, including the consideration of design, site coverage, and the character of the area.

6. No SP policies specifically dealing with conservation areas have been drawn to my attention. LP Policy 110 states that development in conservation areas should preserve and enhance their character. Development will be expected to respect established building lines and layouts. The advice in Planning Policy Guidance Note 1 (PPG1) is that poor designs should be rejected, including those which are inappropriate in their context, and that particular weight should be given to the impact of development on conservation areas. Planning Policy Guidance Note 15 (PPG15) advises that many conservation areas include gap sites which make no positive contribution to, or detract from, the area. Their replacement should be a stimulus to imaginative high quality design, and be seen as an opportunity to enhance the area. New buildings on such sites should be designed with respect for their context.

7. In relation to the second issue, the Council has drawn my attention to their Environmental Guidelines, which state that private gardens should normally be at the rear of dwellings, and should have a minimum depth of 11.5 metres. The advice in PPG3 is that functional requirements within a development, including the size of private gardens, are for the most part a matter for the marketing judgement of developers.

8. In relation to the third issue, one of the criteria in LP Policy 8 deals with the provision of sufficient parking space in developments. LP Policy 54 states that development will be expected to meet parking standards set out elsewhere in the plan. The general approach set out in Planning Policy Guidance Note 13 (PPG13) is to limit parking provision. The advice is that developers should not be required to provide more spaces than they themselves wish unless there are significant road safety or traffic management implications.

### **The effect of the proposal on the Conservation Area**

9. The site is occupied by lock up garages and workshops, and it is common ground that the land is a gap site, as discussed in PPG15, which currently detracts from the area. It is also agreed that residential development is acceptable in principle, although the merits of various aspects of the current proposal are in dispute.

10. This part of the Tring Conservation Area is dominated by small Victorian terraced houses, although there are some newer developments in the vicinity, most notably a sheltered housing scheme to the west. Most of the houses either front directly onto the highway or are set back behind small front gardens. Parking in the front of buildings is not a common feature of the area, although some dwellings have garages or hardstandings.

11. The larger of the proposed buildings (Block B) would be situated towards the rear of the site, and a large area of parking and manoeuvring space would be located in front of the building. The siting of Block B at a significant distance from the road frontage would not reflect the character of the surrounding development. The smaller building (Block A) would continue the line of the converted cottages at the front of the site, and would therefore be sited at right angles to the road. This would be an unusual feature in the area, and would emphasise the uncharacteristic location of the existing cottages. Overall, the layout of the buildings on the site would not be in keeping with the predominant frontage development in the area, and would harm its character and appearance.

12. In addition, the dominance of the hardstandings, manoeuvring space and parked cars close to King Street would be an alien feature in the area. When viewed from the road, the appearance of the development would be dominated by this hard open area. Whatever surface treatment or landscaping was employed, I do not consider that this could mask the harsh appearance of this element of the development. This would further damage the appearance of the surrounding area.

13. The Council has also criticised the detailing of the proposed buildings, particularly the lack of attention to detail on Block B and the poor choice of materials. I consider that both buildings would be somewhat utilitarian in appearance, and would not represent the high quality of imaginative design which should be achieved on gap sites in conservation areas. Nonetheless, a number of these aspects could be the subject of conditions requiring the submission of further details. Although I do not consider that the shortcomings of the design are such that the appeal should fail on this basis alone, this aspect lends weight to my opinion that the development would fail to preserve or enhance the conservation area.

14. Although I am conscious of the encouragement in the development plan related to the full use of opportunities for recycling urban sites, this has to be weighed against the importance of providing imaginative high quality design and preserving or enhancing the surrounding area. In my view, the current proposal fails to respect its context, particularly in relation to established building lines and layout. For these reasons, I find that the proposal would not accord with the relevant development plan policies which I summarised above.

15. In considering this proposal I have had regard to the fact that Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. For the reasons set out above, I consider that the proposal would fail to comply with this requirement, and would harm the character and appearance of the Tring Conservation Area.

#### **The living conditions of future occupiers in relation to the provision of garden space**

16. Dealing first with Block A, I note that these two dwellings would not be provided with private garden space, and that there would be only very limited grassed amenity areas close to the dwellings. The houses themselves would comprise one bedroom accommodation, and you have argued that the amenity space provision would be appropriate to the likely needs of the occupiers of such small dwellings. I have some sympathy with that view, especially in the light of the fact that the Council's Environmental Guidelines incorporate an element of flexibility, and in the light

of advice in PPG3. On that basis, I do not consider that the shortfall in garden space provision related to two of the proposed dwellings would cause significant harm to the living conditions of residents.

17. I am also conscious that the two existing cottages, whose conversion was part of the 1988 scheme, have no garden space, and that the current proposal seeks to continue the same form of development. However, these dwellings were formed by the conversion of an existing structure, and this distinguishes that proposal from the scheme before me.

18. Turning to Block B, the Council agree that the proposed private gardens meet the minimum depth requirement as set out in the Council's Environmental Guidelines. However, the Council suggest that these gardens would be adversely affected by the trees in adjacent gardens, but, in the absence of any evidence as to how the living conditions of future residents would be harmed by the presence of the trees, I do not consider that the appeal should fail on that basis.

19. For the above reasons, although two of the proposed dwellings fall short of the standard in the Council's Environmental Guidelines, I consider that the proposed dwellings would provide acceptable living conditions for future occupiers, in relation to the provision of garden space.

#### **The free flow of traffic in King Street in relation to the amount of on-site car parking**

20. The Council stated that the area suffers from considerable on street parking problems, and you have not contested that statement. In addition, I saw on my site visit that off-street parking provision in the area is limited, and that there appears to be considerable pressure for the available parking space on the roads.

21. However, it appears that the deficiency of the current proposal amounts to one car parking space, and that this shortfall only arises if the two existing cottages at the entrance to the site are included in the calculations. These cottages, whatever their status, are not part of the proposal before me, and I do not consider that it would be reasonable to reject the current appeal on the basis that it failed to provide adequate parking for existing dwellings which are not part of the scheme.

22. In coming to that view, I am also mindful of the advice of PPG13 that developers should not be required to provide more spaces than they wish unless there are significant road safety or traffic management implications. No such implications have been drawn to my attention in relation to the very limited shortfall in parking provision alleged by the Council.

23. The Council have also criticised the proposal on the grounds that manoeuvring into and out of some of the parking spaces may be difficult. Although the space available for manoeuvring would be restricted, I do not consider that this would be likely to deter residents from making full use of the parking spaces provided, particularly in view of the limited on-street parking spaces.

24. For these reasons, I consider that the proposal before me complies with the relevant policies and standards in the development plan. I find that the proposal need not harm the free flow of traffic in King Street, in relation to the amount of proposed on-site car parking.

### **Other material considerations and formal decision**

25. I have taken account of the fact that planning permission was granted for a similar development on the site in 1988. However, whatever the current status of that permission may be, I consider that circumstances have significantly changed since that time. In particular, the adoption of the LP, the added weight given to the development plan by Section 54A of the Act, and the publication of Planning Policy Guidance Notes, all serve to distinguish the current position.

26. In summary, I find that the proposal would provide acceptable living conditions for future occupiers and would not harm the free flow of traffic in King Street. Nonetheless, I consider that the harm it would cause to the character and appearance of the Conservation Area represents a substantial objection which could not be overcome by imposing conditions.

27. I have taken account of all the other matters raised. However, I do not find any of these factors to be sufficient to outweigh the considerations which have led me to my decision.

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

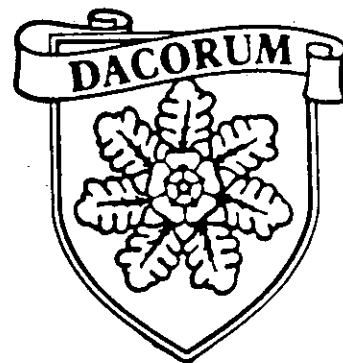
Yours faithfully

A handwritten signature in black ink, appearing to read 'Phillip Ware', with a stylized flourish at the end.

Phillip Ware BSc DipTP MRTPI  
Inspector

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL



Application Ref No. 4/0871/96

Mr C Revell  
36 Berkshill  
Chorleywood  
Herts

Building Design Services  
Maisie Cottage  
Bottrells Lane  
Chalfont St Giles  
Bucks

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

55 King Street, Tring, Herts

ERECTION OF SIX DWELLING HOUSES

Your application for *full planning permission* dated 03.06.1996 and received on 04.07.1996 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 26.09.1996

(ENC Reasons and Notes)



REASONS FOR REFUSAL  
OF APPLICATION: 4/0871/96

Date of Decision: 26.09.1996

1. ~~The number of dwellings proposed in this development is excessive and,~~  
coupled with the submitted layout and the bulk and height of the development, would be harmful to the street scene and the general character of this part of the Tring Conservation Area.
2. The proposed development does not provide satisfactory amenity space for all dwellings, and there is inadequate provision for vehicle parking within the site to meet the standards adopted by the local planning authority.