



# The Planning Inspectorate

CS4

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

Room 1404  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

Direct Line 0117-987-8927  
Switchboard 0117-987-8000  
Fax No 0117-987-8769  
GTN 1374-8927

Mr J G Berry  
Sherwood  
62 Dundale Road  
Tring  
Hertfordshire  
HP23 5BX

Your Ref:

Our Ref:  
T/APP/A1910/A/96/275181/P8

Date: 29 APR 1997

Dear Sir

30 APR 1997

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPLICATION NO: 4/0879/96

1. I have been appointed the Secretary of State for the Environment to determine your appeal which is against the decision of the Dacorum Borough Council to refuse outline planning permission for 2-storey detached dwelling and garage on part of garden of existing house, Sherwood, 62 Dundale Road, Tring, Hertfordshire. I have considered the written representations made by you and by the Council and also those made by the Tring Town Council and interested persons including those made directly by interested persons to the Council which have been forwarded to me. I inspected the site on 19 March 1997.

2. Your property lies within an established residential area to the north of the town centre of Tring. The appeal site comprises a more or less rectangular parcel of land at the corner of Manor Road and Dundale Road and includes your home, a detached 3-bedroom 2-storey house placed towards the northern end of the plot. You propose to subdivide the land and locate on the southern part another detached house of similar size together with a car-port. Although the description of the proposed development on your application forms (as in paragraph 1 above) includes a garage this is not shown on the submitted plans and you have confirmed in writing that for "garage" the description should have read "car-port".

3. Having read the representations and visited the site I consider the principal issues in this case to be whether the appeal proposal would constitute over-development of the site resulting in inadequate parking and amenity standards for the occupiers and whether it would be detrimental to the general character and appearance of the locality.

4. The Development Plan for this area comprises the Hertfordshire County Structure Plan Review approved in 1992 and the Dacorum Borough Local Plan adopted in 1995. I have been referred in particular to structure plan policies 47, 48 and 49 and local plan policies 1, 7, 8, 9 and 54 as being relevant to this case. Structure plan policies 47 and 48 emphasise the need to conserve and enhance the character, quality and viability of the built environment. Structure plan policy 49 and local plan policy 1 include Tring in a list of

settlements where new development is to be concentrated. Local plan policy 7 indicates that appropriate residential development will be encouraged in residential areas. Local plan policies 8 and 9 provide guidelines for assessing development proposals and include requirements that development should be appropriate in terms of layout and site coverage, respect the general character of the local area and include sufficient parking. Local plan policy 54 also sets out the Council's parking requirements. I am required to determine the appeal having regard to the provisions of the development plan and to make my decision in accordance with them unless material considerations indicate otherwise.

5. The Council is of the opinion that the appeal site is of insufficient size to accommodate a detached house with adequate off-street parking and amenity space whilst retaining sufficient amenity space and off-street parking provision for the existing house. The Council takes the view also that the proposed house, which is sited forward of the line of the front main wall to the neighbouring bungalows on Manor Road, would be visually intrusive and over-dominant in the general street scene in Manor Road and would overshadow both the adjoining bungalow, Windward, and your own home.

6. You contend that the proposed house would be on a plot similar in size to those of the two adjoining bungalows and although a 3-bed rather than 2-bed dwelling unit it would as a 2-storey building occupy less of the site area. As the application is in outline only the new dwelling could, you maintain, be located and designed so as to minimise overshadowing of neighbouring properties, meet suitable building lines, and enable satisfactory vehicular access and parking provision. You argue that off-street parking could be made available for your existing house if required and point out that other nearby houses have parking spaces in their front gardens. You also refer to a relatively restricted site nearby where a house has been allowed and built within the last few years.

7. No. 62 Dundale Road was originally erected on a corner plot which was much larger than the majority of house plots in the locality. In 1986 planning permission was granted on appeal (ref: APP/A1910/A/036847), and subsequently implemented, for a pair of 2-bedroom bungalows with garages on part of the plot running behind the existing house and having a frontage of some 23 metres to Manor Road. This left a distance of under 4 metres between the back of No. 62 and the new boundary, but that house retained a wide and relatively private side garden on the south-east side, that being also one of the principal aspects of the dwelling.

8. The present side garden has a width from the house to the boundary on the Manor Road frontage of about 14.9 metres. The illustrative plans accompanying your appeal application show in this side garden an additional house with only slightly greater floor space than your own, sited 3 metres from No. 62, to the same building line to Dundale Road, and the same distance from the boundary with the adjoining bungalow. This new house would front on to and take access from Manor Road, have main aspects to the two road frontages, off-street parking for at least 2 vehicles, and a side garden on the south-west, Dundale Road, frontage of roughly 90 square metres which if the thick boundary hedges were retained would be relatively private.

9. Because of the corner situation and the distance and aspect of the houses opposite I am satisfied that a dwelling in this position need neither suffer nor cause undue loss of privacy by reason of overlooking. I also take the view that, although the private amenity

space is very limited, particularly for a family house as proposed, bearing in mind the open aspect I would not support the Council's decision if it rested on this point alone.

10. I acknowledge that the site layout and floor plans submitted as part of this outline application are endorsed "For Illustration Only," and that other arrangements would be possible. Nonetheless the neighbouring bungalow, Windward, is set back some 6.5 metres from Manor Road, and in the space available on the appeal site it is unlikely that an additional dwelling would not be located closer to the road. In such a position a 2-storey building would cut out some westerly sunshine from the front of Windward and, more seriously, appear somewhat overbearing as seen from that property. As you point out, the houses and bungalows on this side of Manor Road are not built to a rigid building line; nonetheless a 2-storey house significantly forward of the line of the front main walls of the other dwellings would I believe appear obtrusive and incongruous in the street scene when approached from the east along Manor Road, the more so when viewed in conjunction with bungalows with low pitched roofs and against a gap in the built-up frontage of Dundale Road opposite. To my mind, therefore, the appeal scheme would for this reason be detrimental to the appearance of the locality.

11. Turning to the effect of the appeal proposal on your existing house, the proposed subdivision of the present plot would leave No. 62 with a front garden typical of the residential properties in Dundale Road but only relatively narrow strips of land on the other 3 sides, and no off-street accommodation for vehicles.

12. Your house was designed with its principal aspects to the south-east and south-west, and it has an attractive elevation to the present side garden which includes french windows and a veranda. These features at ground floor level would be heavily overshadowed by a 2-metre fence and a new 2-storey building in close proximity. Both of the principal habitable rooms on the south-east side of the house on both floors also have good sized windows to the front and rear elevations; whilst the appeal proposal would cut out a good deal of sunshine from those rooms and appear overbearing as seen from the south-easterly windows nevertheless the house would retain the front aspect which its neighbours enjoy. However the back windows would face only a short rear area, the southerly orientation of No. 62 having been taken into account by my colleague in dealing with your earlier appeal. In my view the double loss of outlook would be materially detrimental to the reasonable residential amenities of your home. With regard to the private amenity open space remaining to No. 62, I consider that a 4 metre deep strip across the rear, north-eastern side of the house would be so inadequate for a family-sized house as to make that property much less pleasant to live in.

13. As to parking provision, although the Council's parking standards apply to new development, and even though you feel you have no need for car space, since it is reasonably likely that a future occupier of the house would require parking space for his own or visitors' vehicles it is clearly not desirable that the possibility of providing such a facility should be removed. Kerb-side parking, especially on a through road like Dundale Road, impairs pedestrian visibility, impedes the flow of passing traffic, and is potentially hazardous to road safety. In this case a parking area in front of the house would reduce the only significant area of garden available to the occupiers of No. 62. A number of other houses on this stretch of Dundale Road have parking spaces in their front gardens, but this arrangement, although it does reduce the amount of on-street parking in instances where vehicular access

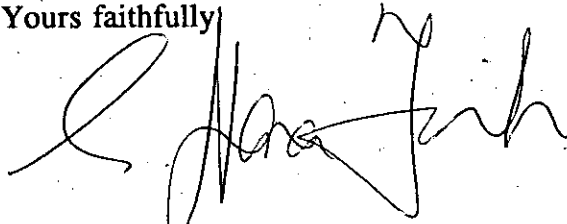
to a garage or parking space behind the building line is not available, is generally harmful to the appearance and character of the neighbourhood.

14. I have come to the conclusion therefore that particularly since the appeal scheme would result in inadequate parking and amenity space provision for your existing house and would be detrimental to the appearance and character of the locality the proposal would amount to over-development of this site contrary to the objectives of Development Plan policies.

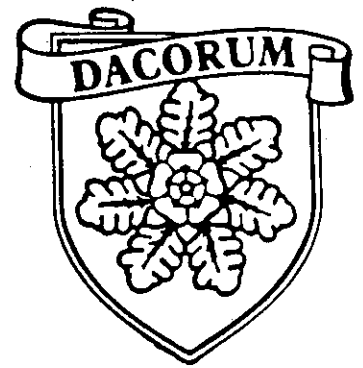
15. I have given careful consideration to the above and to all other points raised in the representations received, including the availability of services and your reference to the 3-bedroom 2-garage dormer bungalow allowed on the corner of Manor Road and Betty's Lane; whilst this also is on a very compact site its relationship to neighbouring development, including the original dwelling adjoining, is different, both original and additional residential units have off-street parking provision, and it does not raise the same issues as your scheme. Neither this nor any other matter put forward outweighs the factors which have led me to my decision that the planning permission which you seek should not be granted.

16. For the above reasons and in exercise of the powers transferred to me I hereby dismiss your appeal.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Miss E N Farish', written over a horizontal line.

MISS E N FARISH BA DipTP MRTPI  
Inspector



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/0879/96

Mr J G Berry  
'Sherwood' 62 Dundale Road  
Tring  
Herts  
HP23 5BX

S T S Bates Architects  
51 Finsbury Park Road  
London  
N4 2JY

DEVELOPMENT ADDRESS AND DESCRIPTION

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'Sherwood', 62 Dundale Road, Tring, Herts

ERECTION OF DETACHED DWELLING (OUTLINE)

Your application for *outline planning permission* dated 02.07.1996 and received on 05.07.1996 has been **REFUSED**, for the reasons set out on the attached sheet(s).

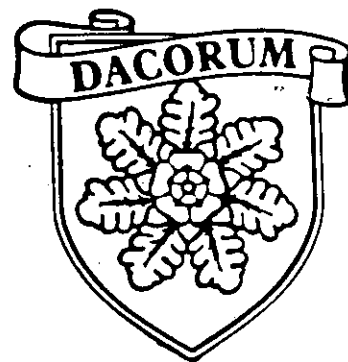
Director of Planning

Date of Decision: 17.09.1996

(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/0879/96

Date of Decision: 17.09.1996



1. The proposal represents a gross overdevelopment of the site which would affect adversely the visual and general amenities and detract from the character of the area.
2. The proposed development is excessive on a site which is inadequate satisfactorily to accommodate the proposal together with the necessary amenities and vehicle parking facilities.