



TOWN AND COUNTRY PLANNING ACT 1990
DACORUM BOROUGH COUNCIL

Application Ref No. 4/0961/91

Mr & Mrs O'Mahony
The Whins, Gravel Path
Berkhamsted
Herts

Capener Cross Partnership
Salter House, Cherry Bounce
Hemel Hempstead
Herts
HP1 3AS

DEVELOPMENT ADDRESS AND DESCRIPTION
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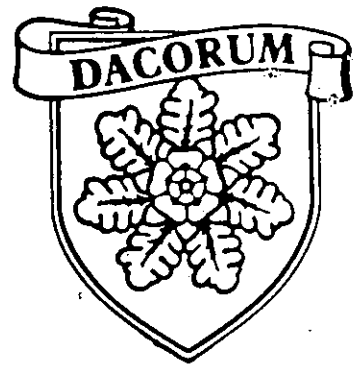
The Whins, Gravel Path, Berkhamsted,
ERECTION OF TWO DWELLINGS (DUPLICATE O/L APPLICATION)

Your application for *outline planning permission* dated 05.07.1991 and received on 09.07.1991 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 13.08.1991

(ENC Reasons and Notes)



REASONS FOR REFUSAL
OF APPLICATION: 4/0961/91

Date of Decision: 13.08.1991

The proposal is a cramped form of development and represents an overdevelopment of the site which would be detrimental to the character and visual appearance of the area as a whole which is semi-rural in character and forms an important transition between Berkhamsted and the open countryside to the north. The proposal would have a detrimental effect on the amenities of the surrounding properties and result in the loss of trees and boundary screening. The increased use of the existing sub-standard access to Gravel Path would give rise to conditions prejudicial to road safety.



Planning Inspectorate
Department of the Environment

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Capener Cross Partnership
Salter House
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Herts
HP1 3AS

PLANNING DEPARTMENT						Your reference	
DACORUM BOROUGH COUNCIL						9060	
Ref.				Ack.		Our reference	
DoP	T.C.P.M.	D.P.	D.C.	B.C.	Admin.	File	Date
Received						27 FEB 1992	
Comments							

T/APP/A1910/A/91/190611/P8

26 FEB 1992

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR AND MRS M O'MAHONY
APPLICATION NO: 4/0961/91

- I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Dacorum Borough Council to refuse outline planning permission for erection of two dwellings at The Whins, Gravel Path, Berkhamsted. I have considered the written representations made by you and by the Council and also those made by Berkhamsted Town Council. I have also considered those representations made directly by other interested persons to the Council which have been forwarded to me. I inspected the site on 2 December 1991.
- Further to my visit to the site and its surroundings and consideration of the representations made, I consider that the main issues in this case are firstly, whether the proposal will harm the character and appearance of the area, secondly, whether the proposal will harm the residential amenities of neighbours, and thirdly, whether the increased use of the existing access will lead to conditions harmful to highway safety.
- Gravel Path runs northwards from the town of Berkhamsted to Berkhamsted Common and more open country beyond. The appeal site is located within a low density residential area characterised by substantial detached houses in spacious gardens. Grass verges and an abundance of trees and dense hedging give the road a semi-rural appearance. The Whins is a large detached house built earlier this century with two later single storey wings on either side so that it occupies almost the full width of the plot. It stands on the corner of Gravel Path and Hunters Park, a cul-de-sac of detached modern houses on smaller plots than are characteristic of those fronting Gravel Path. There is a close boarded fence along the front boundary and a dense screen of trees and shrubs bordering Hunters Path.
- I note that there have been three recent appeal decisions on this site. An application for the conversion and extension of the existing property to form six flats was dismissed in October 1991. Two further appeals, one for the erection of three detached dwellings and one for the erection of one detached dwelling, were dismissed in January this year.

100%



RECYCLED PAPER

5. The proposal now before me is in outline and you have submitted a number of illustrative plans. All of these show the removal of the northern wing of the house to be replaced by a two storey detached house fronting Gravel Path. On three of the illustrative plans the second house is sited to the rear of the plot fronting Hunters Park, adjoining No 1 Hunters Park. Later alternative plans involve the removal of the southern wing of the existing house with the second house filling the resulting gap and facing Gravel Path.

6. On the first issue, you point out that the site does not lie within an area subject to any special safeguards, such as a Conservation Area. I note that the Dacorum Borough Local Plan Deposit Draft, on which I place due weight, has been placed on deposit and will shortly be the subject of a Public Local Inquiry. I appreciate that certain policies in the Local Plan encourage development in urban areas, in accordance with Government policy expressed in PPG3. However, it also contains policies relating to the quality of development and a requirement for proposals to respect the character of the surrounding area. In this respect I do not regard the locality as having a truly urban character and, indeed, I have already commented on its semi-rural appearance.

7. You refer to the existing building coverage of the site. However, much of this is at single storey level, including the two wings on either side of the existing house and the garage. They do not, in my opinion, have the same visual impact on the environment as would a two storey element, and despite their existence, I consider that the visual scale and setting of the existing house still reflects the present spacious character of this stretch of Gravel Path. I do not consider that the arithmetical comparison of site coverage between what is now proposed and other sites in the area is so relevant to this appeal as other material considerations such as the space between buildings and the prevailing character of the Gravel Path corridor.

8. The proposed house on the north side would have a plot width of less than 13 m. This compares unfavourably with the width of other plots facing this stretch of Gravel Path and leaves minimal space between the new building and the flank boundaries, with no room for effective landscaping. This would, in my opinion, result in the new house appearing unacceptably cramped in its surroundings, causing harm to the existing character of the area and, in this respect is contrary to Local Plan policies. I am further concerned that the impact of the combined building bulk of the existing and proposed dwellings would 'urbanise' the appearance of the site in a manner inappropriate in this semi-rural setting. The impact of the development on Gravel Path would be compounded if the option involving both houses on this frontage were to be implemented. Indeed, I note that the previous Inspector, in dismissing the appeal for three houses on the site, commented that "the three dwellings including The Whins reduced in size would be so close together, with no space for effective landscaping between them, that they would appear to overdevelop the site, in marked contrast to the surrounding area and to the detriment of this appearance and character." Given the similarities between the two schemes in this respect I have no reason to disagree with this view.

9. Furthermore, given the limited depth of the front garden and the parking and manoeuvring requirements for an additional one or two houses, I am concerned that a disproportionate amount of the front garden would be hardsurfaced. This does not accord with the council's environmental guidelines and, in my opinion, would further damage the quality and appearance of the locality.

10. The alternative option is for the second house to front Hunters Park. The illustrative plans indicate a plot of some 14 m-15 m in width leaving a rear garden of some 15 m to The Whins, I consider these space standards to be inadequate in comparison with the spacious Gravel Path environs, especially as the depth of the existing rear garden is already below that of most others on this side of Gravel Path. Whilst the rear plot would more closely relate to the higher density standards of Hunters Park, plot widths here are generally wider than that now proposed. Furthermore, the proposal would necessitate the removal of a number of trees within the site and a section of the dense shrub and tree screen along the Hunters Park boundary. To my mind this would 'open up' the entrance to the Hunters Park development and unacceptably harm the spacious and well treed character of the locality.

11. On the second issue, a substantial tree screen exists between one of the proposed new dwellings and No 1 Hunters Park. In my opinion this would serve to mitigate any disturbance or loss of privacy which might arise from the location of this house and I do not therefore consider there will be a serious loss of amenity to the occupiers of that dwelling. Nor, given the line of trees along the northern boundary of the site and the distance of the adjoining house, Crabtrees, from that boundary, do I consider that there would be a significant loss of amenity to that property. Nevertheless, this does not override my concern about the impact of the proposed development on the character of the locality as a whole.

12. On the third issue, the submitted plans indicate that the existing single width access to Gravel Path would be used by either one or two additional houses. Gravel Path is a busy road and, given the limited room for manoeuvre within the site and the narrow width of the access, I consider that this could, on occasion, lead to conflict between incoming and outgoing vehicles with the possible obstruction to traffic along Gravel Path. Nevertheless, I do not consider it likely that the impact of the increased use of the access would be such as to cause serious harm to highway safety or to justify refusal of the proposal for this reason alone. However, it does add weight to my principle concern about the overdevelopment of the site and its impact on the character and appearance of the area.

13. I have taken into account all other matters raised in the representations, including your references to government policy as expressed in PPGs 1 and 3. I have also considered the views held by Berkhamsted Town Council and that of neighbours. However, I find nothing of sufficient weight to alter my conclusion that the proposed development is unacceptable.

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

I am Gentlemen
Your obedient Servant

Wendy Bretherick

MRS W P BREThERICK BA DipEd MRTPI
Inspector