



The Planning Inspectorate

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Your Ref:
9508
Our Ref:
T/APP/A1910/A/95/248706/P5

Date:

08 AUG 1995	
PLANNING DEPARTMENT	
DACORUM BOROUGH COUNCIL	
PLANNING DEPARTMENT	
DACORUM BOROUGH COUNCIL	
Received	- 9 AUG 1995
Comments	
Comments	

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR A GOWLAND
APPLICATION NO: 4/1063/94

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the Dacorum Borough Council to refuse planning permission in respect of an application for two detached dwellings on land at the rear of 99-105 George Street, Berkhamsted. I have considered the written representations made by you, including your letter and plan dated 5 July 1995, 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 July 1995.

2. The application, as originally submitted to the Council, proposed the erection of two detached houses. You have stated that the change to a proposal for a pair of semi-detached dwellings was made at the request of the Council in line with an earlier outline approval. I have not seen the plans for two detached dwellings or copies of the previous applications or decisions. I propose to consider the appeal on the basis of Drawing No. 9470/1 Revision B (using the metric dimensions provided on Revision C, which was supplied with your letter dated 5 July 1995).

3. The appeal site lies within the Berkhamsted Conservation Area, as extended on 29 March 1994, and I have had regard to the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Conservation Area covers a very extensive area. The immediate area consists mainly of tightly knit late Victorian terraces set parallel to the rise in levels from the Grand Union Canal to the line of the railway. There is a network of rear access and connecting footways and a few dwellings served by a track or short cul-de-sac in between the lines of properties fronting George Street and Ellesmere Road. The area is well maintained and many of the properties have been renovated.

4. The policy background is provided by the Hertfordshire County Structure Plan Review, incorporating Alterations 1991, and the Dacorum Borough Local Plan adopted 12 April 1995. The Council has drawn attention to several Structure Plan policies. These



indicate a strong desire to see urban land recycled and for development within existing towns to be maximised. However, these objectives are not to be achieved at the expense of the creation of a good environment for specialist and family housing or of a good standard of design. I consider that Policy 72 is particularly relevant to this appeal.

5. The Dacorum Borough Local Plan was adopted after the decision which gave rise to this appeal. However, it had been used for development control purposes for a considerable period and it is now part of the development plan for the purposes of Section 54A of the Act. Policy 8 addresses the quality of development and lists criteria; Policy 17 encourages the provision of small dwellings; Policy 54 requires compliance with parking standards set out in Part 5 of the Plan; Policy 101 sets criteria for the consideration of new housing proposals and Policy 110 deals with development in Conservation Areas. Part 5 of the Local Plan provides detailed Environmental Guidelines.

6. From my inspection of the site and its surroundings and my consideration of the written representations, I am of the opinion that the main issues are firstly, whether the proposed development would be unacceptably cramped; secondly, whether the parking and access arrangements are satisfactory and thirdly, whether the design and materials proposed would harm the appearance of the Conservation Area.

7. There have been a number of previous planning applications relating to the appeal site. The Council accept that an outline planning permission for a detached dwelling was extant when the appeal application was submitted but lapsed before the decision was taken. A previous outline permission for a pair of semi-detached dwellings had lapsed in the absence of the submission of reserved matters in June 1993. The Council state that the 1990 proposal related to one bedroomed dwellings with integral garages and by condition required that there should be no south facing first floor windows. I note that the planning approvals which have now lapsed were both dated before the area was designated a Conservation Area and that no elevational details were submitted.

8. The appeal site is an irregularly shaped area of land to the rear of 99-105 George Street with an access between Nos 97 and 99. There is the remains of a large building to the rear of the access and a substantial range of barn-like buildings continues to the east accessed by tunnels under the upper floors of Nos 101 and 107 George Street. The first section of this building is within the site and the remainder, which lies to the rear of Nos 107-109, appears to be used for vehicle repairs. All these buildings abut a rear footway and their walls provide support with the ground floor levels between 1m and over 2m below the level of the adjoining footway. The Council has already granted Conservation Area Consent for the demolition of the buildings within the appeal site.

9. The proposed pair of dwellings are also shown sited with the rear wall abutting the rear footway. The intended floor levels of the dwellings is uncertain as the plans do not fully reflect the substantial differences in existing ground and floor levels. The only amenity space which can be provided is to the sides and in front of the proposed dwellings. The area to the east of dwelling No.2 would be about 36m² but it would be cut into the slope of the land between the end gable of the proposed house, the freshly exposed end of the adjoining 'barn' and the rear boundary of Nos 103/105. The amenity area to the west of dwelling No.1 would be about 18m² and confined between the end gable of that dwelling and the retaining walls for the footway. The areas in front of the dwellings would be no more than a grassed margin to the parking and turning areas.

10. The proposed siting of the block would necessitate a rather contrived window pattern. The north elevation would only contain high level windows at first floor level, supplemented by roof lights. My inspection suggests that the first floor level would be at, or marginally above, ground level relative to the rear footway. The south elevation first floor windows are proposed to be obscured to acknowledge the function of the rooms and to minimise overlooking of the adjoining gardens and dwellings. The living rooms are about 6m in depth and lit from a single south facing window. I have commented on these matters in some detail because, in my opinion, they emphasise the difficulties which are inherent in trying to fit two, two bedroomed family dwellings of fairly conventional internal layout onto this contrived and demanding site. I conclude on the first issue that the proposed development would be unacceptably cramped and that the normal space standards contained in Environmental Guidelines would not be met.

11. The existing access drive from George Street is about 23m long and about 3.4m in width with a kerbed margin on the eastern side of about 1m. The overall width between the side walls of Nos 97 and 99 was measured at the inspection and found to be about 4.45m which is less than the width scaled from the appeal drawings. Both the adjoining dwellings have ground floor windows facing the access. Two car spaces are shown in front of the eastern proposed dwelling and a further two spaces are indicated within the drive which is shown as extending to the full width between buildings. The access also appears to serve No.99 and there is correspondence which suggests that there is some disagreement over parking rights. This is a private matter and not material to the consideration of the appeal.

12. The Council's standards for parking require the provision of 2 spaces for each two bedroomed dwelling and one visitor space for every four dwellings. These are demanding standards in an urban Conservation Area but I observed that on-street parking during the day is very heavy with the north side of George Street continuously parked and vehicles on the southern side parked partly on the footway to avoid causing obstruction to other traffic. In the event, the Council appear to be willing to accept a total of 4 spaces. In my opinion, the provision of parking spaces within the drive would not be satisfactory. The overall width is modest and the parking of cars would be likely to result in congestion with vehicles on occasion being forced to back out onto George Street. I conclude on the second issue that the parking and access arrangements are unacceptable and would be likely to give rise to additional on-street parking and vehicles reversing into the carriageway.

13. The essential character of this part of the Conservation Area is derived from the form and detailing of the late Victorian properties. Many of the buildings still display the yellow stocks with red bands and quoins and slate covered roofs. Unfortunately, some have been rendered and others have been re-roofed with concrete tiles. However, the general form of narrow fronted two or two and half storey dwellings has been maintained. The design of the proposed pair of dwellings is bland in the extreme. The horizontal rather than vertical form; the unrelieved brickwork and the inappropriate form of the porch and sitting room extension are all features which in my opinion would detract from, or actually harm, the appearance of the Conservation Area. The rear elevation with the high level windows and roof lights in substitution for strong simple lines of the black 'barn' would be an incongruous feature when viewed from the rear of the Ellesmere Road properties. Finally, the choice of mixed facing bricks and concrete tiles would draw attention to the new building. I conclude on the third issue that the design and materials proposed would harm the appearance of the Conservation Area.

14. A number of the objectors have drawn attention to possible problems of overlooking and loss of privacy. I acknowledge that the distances between the properties and the variation in levels would result in some loss of amenity. However, residential redevelopment has been accepted in principle by the Council and these matters, while important, do not outweigh those I have identified as main issues. I have taken into account all the other matters raised in the representations, including the letters from the Berkhamsted Town Council and the Hertfordshire Conservation Society, but they do not outweigh the considerations which that have led to my decision.

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

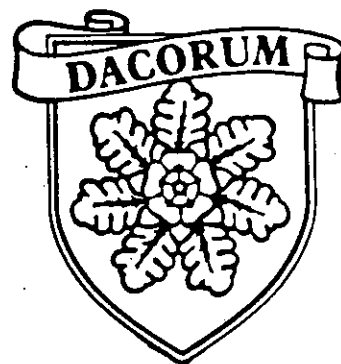
Yours faithfully



F L CROSS MRTPI FRSH
Inspector

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL



Application Ref No. 4/1063/94

A Gowland
Little Orchard
Beechwood Park
Hemel Hempstead
HERTS

Mr D Clarke
47 Gravel Lane
Hemel Hempstead
HERTS

DEVELOPMENT ADDRESS AND DESCRIPTION

Land at the rear of 99-105 George Street, Berkhamsted, HERTS

TWO SEMI DETACHED HOUSES

Your application for *full planning permission* dated 11.08.1994 and received on 15.08.1994 has been **REFUSED**, for the reasons set out on the attached sheet(s).

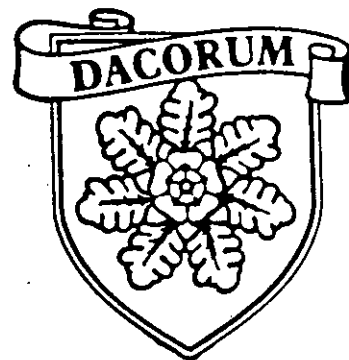
Director of Planning

Date of Decision: 19.01.1995

(ENC Reasons and Notes)

REASONS FOR REFUSAL
OF APPLICATION: 4/1063/94

Date of Decision: 19.01.1995



1. The proposal represents an overdevelopment of the site, and the development would affect adversely both visual and general amenities and detract from the character of the area.
2. The proposed development would have a seriously detrimental effect on the amenities and privacy at present enjoyed by occupants of adjacent dwellings.
3. The access to the site is of insufficient width to accommodate satisfactorily two parking spaces and vehicular access to the proposed dwellings, and without these spaces there is inadequate provision for vehicle parking within the site to meet the standards adopted by the local planning authority.
4. The design of the proposed development, particularly the rear elevation, is poor, and is not acceptable in the context of the site's location in the Berkhamsted Conservation Area.