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Received 12 APR 1990						
Comments						

Goldfield Development Ltd

18 Western Road

TRING

Herts HP23 4BB

Your Reference:

Our Reference:

T/APP/A1910/A/89/138411/P3

Date: 11 APR 90

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY STEPHEN PAUL BYRNE
APPLICATION NO : 4/1221/89.

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the failure of the Dacorum Borough Council to determine within the statutory period an application for the erection of a detached two-bedroomed bungalow with two parking spaces on land at the rear of 4 & 5 Stanley Gardens and 7 Chapel Street, Tring. I have considered the written representations made by you and by the Council and also those made by interested persons and also those representations made direct to the Council including those made by the Tring Town Council at application stage. I inspected the site on Monday 26 February 1990. The occupier of No. 10 Chapel Street was present throughout the site visit and I viewed the site from her property.

2. At the site inspection the Council's representative wished to measure the width of the entrance to the site. The agent helped him take two measurements, both of which included a small triangular piece of land which the owner of 11 Chapel Street maintains is in his ownership. If this appeal succeeds he states that he intends to build on this land.

3. The appeal site is an irregular shaped piece of land that is part of the rear garden area of No. 7 Chapel Street which is a mid-terrace property that forms part of the older part of Tring. Access to the site is from Stanley Gardens which is a large cul-de-sac that serves a modern development of predominantly terrace and semi-detached houses. The entrance to the site is between a double garage which forms part of the north-eastern boundary of the site and the high brick wall that forms the rear boundary of No. 11 Chapel Street.

4. From my inspection of the appeal site and surroundings and from the representations made, I am of the opinion that the main issues in this appeal are firstly the effects of the proposal on the character and appearance of this part of the Conservation Area having regard to the provisions of Section 277(8) of the 1971 Act (as amended) and secondly whether the site would have an unsatisfactory vehicular access and parking arrangements.

5. The appeal site lies within the Tring Conservation Area. The Council refer to the Housing and Settlement Policies of the Structure Plan, approved in 1979, with modifications in 1988, together with the Conservation and Car Parking Policies of the Dacorum District Plan adopted January 1984. If the application had come to them for determination the Council would have refused



to grant planning permission for three reasons which they submit. In March 1989 an application for a detached two storey dwelling was refused planning permission for three reasons.

6. The Council state that the site lies within in an area where it would normally support development, but in this case the proposal would not accord with their environmental guidelines. The appeal site is very modest in size and the proposed dwelling and parking area would be a cramped form of development with small rear and side gardens that would be out of character with the properties in Chapel Street. The proposed building would be so close to the boundaries that it would result in a loss of amenity to the adjacent dwellings. There is a parking problem in the surrounding area. The proposed parking spaces would be sub-standard in size and would be insufficient to satisfy their standard of two spaces plus one visitors space. The proposed parking area would be difficult to use from the existing narrow entrance. The proposal would deprive No. 7 Chapel Street of its off-street parking facilities.

7. On behalf of the appellant you detail how the proposal has been designed to resolve the objections identified by the Council in the previous application, particularly the overlooking problems. You state that the proposed parking spaces would be a reasonable size and that two spaces would satisfy the latest standard. You have submitted a drawing showing how three spaces could be provided. You compare the size of the gardens in Stanley Gardens and Chapel Street with the proposal. The bungalow has been designed to blend in with the majority of the other houses in the area and to ensure the roof cannot be extended in the future without raising the ridge level. There is great demand for this type of property in the area. You state that there are no covenants to prevent the development or access over Stanley Gardens.

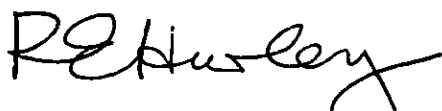
8. Dealing with the first issue, in my view the bungalow would be a low level building which would not blend in with either the modern two-storey buildings in Stanley Gardens or the older Chapel Street terrace properties. The building would be located close to the site boundaries and occupy a large part of the site. I find that the proposal would be a visually discordant feature which would be out of character with the surrounding area. I consider that it would have an adverse effect on the visual amenities of the occupiers of the Chapel Street properties, particularly from the rear garden gardens. Although the site is located at the rear of the older Chapel Street properties which contribute so much to the character of the Conservation Area I have come to the view that the proposal would not preserve or enhance the character and appearance of this part of the Conservation Area.

9. Turning now to the second issue in my view there is insufficient land available in front of the bungalow to accommodate more than one parking space satisfactorily. Moreover, there is not space within the site for a vehicle to enter and leave the site in forward gear. The angle of space 1 on the application drawing and spaces 1 and 2 on the later drawing relative to the width of the existing width of the entrance would mean that a driver would have great difficulty in using these spaces. In either layout if the space near the entrance were occupied it would be impossible to use the other space/s. There is a parking problem in Stanley Gardens because it is close to shops and commercial premises in Western Road and drivers visiting these park in Stanley Gardens. There are double yellow lines for some distance in Stanley Gardens from Western Road supported by some "no parking" cones. I conclude that the proposal would add to the parking problems in the area.

10. I have taken account of all the other matters in the representations including that the proposed bungalow would be suitable for small households for which there is considerable demand, but I am of the opinion that they do not outweigh the considerations that have led me to my decision.

11. For the above reasons, and in exercise of the powers transferred to me I hereby dismiss this appeal and refuse planning permission.

I am Gentlemen
Your obedient Servant

A handwritten signature in cursive script, appearing to read 'R E Hurley', with a long, sweeping underline.

R E Hurley CEng MICE MIHT
Inspector