



# Planning Inspectorate

Department of the Environment

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PLANNING DEPARTMENT  
DACORUM BOROUGH COUNCIL GTN 1374

Mr R J Peterson  
Chiltern Cottage  
Hemp Lane  
Wiggington  
Tring  
HERTS HP23 6HF

Ref					Ack.	
C.P.O.	T.C.P.M.	D.P.	D.C.	D.C.	Admin.	File
Received					Date	
Comments						

Your Reference

Our Reference

T7APP/A1910/A/90/173491/P8

22 MAR 1991

21 MAR 91

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPLICATION NO:- 4/1234/90

1. As you know, I have been appointed by the Secretary of State for the Environment to determine your appeal, which is against the decision of the Dacorum Borough Council to refuse planning permission for the construction of an external staircase and balcony at Chiltern Cottage, Hemp Lane, Wiggington. I have considered the written representations made by you and by the Council, and also those made by Wiggington Parish Council and interested persons. I have also considered those representations made directly by interested persons to the Council, which have been forwarded to me. I inspected the site on 7th March 1991.

2. From the representations made and my inspection of the site and surroundings, I consider that this appeal turns on the affect of the proposed development on the amenity of adjoining residents and the character of the area.

3. The proposed balcony and staircase would be located close to the west boundary of the appeal site, adjoining a very tall, dense conifer hedge, so that there would be no views into the adjoining curtilage to the west. The balcony would be accessed through a north facing window, which looks down the appeal site. In this location it would be some 11m from the eastern boundary of the appeal site, which is shared with Greystones. From my inspection of the views from the first floor of the appeal premises, it seems to me that a person standing on the balcony would be able to see the top part of the side window of the extension to the rear of Greystones, but no other windows in this dwelling. I noted that Greystones would screen any views of the dwelling to the east. I, also, observed that views across the adjoining gardens would be limited by the boundary vegetation and fences.

4. In considering this matter I think that it is important to bear in mind the nature and size of the proposed balcony. The balcony would provide access from patio doors in the main bedroom to a fire escape running along the side of the dwelling. I, therefore, consider that the use of the balcony and staircase would be limited to the appellant and his wife, unless there is an emergency. The balcony would project 1.2m from the face of the dwelling. In my opinion, even putting 1 or 2 chairs on the balcony would cause some conflict with the patio doors, which would open across most of the balcony width. I, therefore, consider that any recreational use of the balcony would

be very limited. Also, I consider that anyone sitting on the balcony would have very limited views across the adjoining gardens because of the lower eye level, even if they chose to sit facing this direction rather than looking down the garden of Chiltern Cottage. Although I consider that a person standing on the balcony would be able to look across at the adjoining extension and gardens, I think that these views would be limited, and unlikely to occur for more than a few moments during use of the staircase or the balcony.

5. The appeal site is within the Chilterns Area of Outstanding Natural Beauty and the Green Belt. The council consider that the proposal would conflict with the development plan objectives of preserving the beauty of the area. In my opinion the proposed balcony is of such a small scale, on the rear of this dwelling within a large domestic curtilage, that it will have no impact at all on the character of the wider area.

6. In conclusion, I consider that the degree of overlooking that would result from the proposed balcony would not be harmful to the neighbours' enjoyment of their dwellings or their curtilages. I also do not consider that the proposal would have a detrimental effect on the character of this area. I have considered all other matters raised, but these do not alter my decision.

7. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the construction of an external staircase and balcony at Chiltern Cottage, Hemp Lane, Wiggington, in accordance with the terms of the application (No.4/1234/90) dated 8/8/90 and the plans submitted therewith, subject to the condition that:

1. the development hereby permitted shall be begun before the expiration of 5 years from the date of this letter

8. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 57 of the Town and Country Planning Act 1990.

I am Sir  
Your obedient Servant



T. Crane BA MPhil DipConsStuds MRTPI  
Inspector

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL



Application Ref. No. 4/1234/90

Mr R. Peterson  
Chiltern Cottage, Hemp Lane  
Wigginton

J. Beyer & Associates  
128 High Street  
Bushey  
Herts  
WD2 3DE

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

Chiltern Cottage, Hemp Lane, Wigginton,

EXTERNAL STAIRCASE AND BALCONY

Your application for *full planning permission* dated 08.08.1990 and received on 31.08.1990 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning.

Date of Decision: 25.10.1990

(encs. Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/1234/90

Date of Decision: 25.10.1990



The proposed balcony would have a seriously detrimental effect on the amenities and privacy at present enjoyed by occupants of adjacent dwellings.