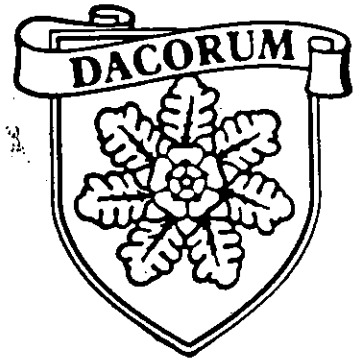


TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL



Application Ref No. 4/1351/91

K Weston & P Weston  
103 Rosebery Road  
London  
N10

Stelios Piponides  
39-41 North Road  
London

N7 9DP

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

The Orchards, High Street Green, Hemel Hempstead

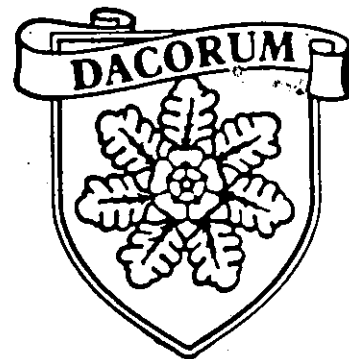
RESIDENTIAL DEVELOPMENT-3 ONE BEDROOM DWELLINGHOUSES AND 9 TWO BEDROOM  
DWELLINGHOUSES (AMENDED SCHEME)

Your application for *outline planning permission* dated 02.10.1991 and received on  
04.10.1991 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 16.01.1992

(ENC Reasons and Notes)



REASONS FOR REFUSAL  
OF APPLICATION: 4/1351/91

Date of Decision: 16.01.1992

1. Having regard to the general form and character of development in the locality, the proposal amounts to an overdevelopment of the site. Furthermore, the style and type of the proposed housing would be unneighbourly and at variance with the character and appearance of nearby properties.
2. The proposed development fails to meet the standards of the highway authority in a number of important respects, and this is likely to give rise to conditions prejudicial to highway safety on High Street Green which carries a significant amount of fast-moving traffic.



# The Planning Inspectorate

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

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PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL					
Architects					
DoP	T.C.P.M.	D.P.	D.C.	B.C.	Admin.
Received					5 JUN 1992
Comments					

Stelios Piponides  
Omnibus House  
39-41 North Road  
LONDON  
N7 9DP

Your reference:

9117

Our reference:

T/APP/A1910/A/92/200735/P8

Date:

19 MAY 1992

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY K WESTON & P WESTON - APPLICATION NO: 4/1351/91

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the Dacorum Borough Council to refuse outline planning permission for 3 one-bedroom houses and 9 two-bedroom houses at The Orchards, High Street Green, Hemel Hempstead. I have considered the written representations made by you and by the Council and those made by interested persons. I have also considered those representations made directly by interested persons to the Council which have been forwarded to me.
2. From my inspection of the site and its surroundings on 28 April 1992 and examination of the representations I consider the main issues in this case are, firstly, the effect the proposal would have on the privacy of neighbours, secondly, whether it would be over-intensive development and, thirdly, the effect on highway safety.
3. Reference has been made to national planning policy guidance, and to policies in the County Structure Plan and Dacorum District Plan, and their emerging reviews, which are concerned with these issues and I have taken them into account. You have stressed the support in those policies for making the best use of urban land, especially for small low-cost homes. However, I also have to be mindful that such schemes must be well related to, and in keeping with, the existing nearby development.
4. With the exception of the frontage to High Street Green the appeal site is almost entirely surrounded by residential development. To the north and east are the rear gardens of detached or terraced houses fronting Briery Way, and the re-entrant south and west boundaries principally adjoin the rear gardens of Flint Cottages. Along the north boundary there is a substantial screen of evergreen trees but other boundaries are more open with a mixture of fences with intermittent trees and shrubs. Two sections of the conifer screen, a group of trees and shrubs near the centre of the site and some near the middle of the east boundary would be removed if the development were allowed.
5. In considering overlooking you have pointed to the well screened north boundary, but this does not seem to me to be the most vulnerable direction. With the site layout and floor plans as submitted the main habitable rooms on the first and second floors of the 2-bedroom houses would, in my opinion, look, above the level of the proposed boundary walls and fences, directly into the windows and rear gardens of Flint Cottages and the adjoining terraced houses to the east in Briery Way. With some of the proposed dwellings being about 4m or less from

the site boundary several of the neighbouring gardens would be in very close proximity, and a number of the adjoining houses themselves would be within the range of about 20-25m. I acknowledge that the floor plans could be changed but, with the number of dwellings proposed, there is, in my view, very little scope for alterations which would overcome the problem. For these reasons I consider the proposal would result in a serious increase in overlooking and an unacceptable loss of privacy to neighbouring residents.

6. Concern has also been expressed in the representations that the proposal would be over-intensive development. My attention has been drawn to the 'alien' 3-storey nature of much of the proposed development. Bearing in mind that existing nearby development includes some 3-storey structures, together with the varying ground levels of adjoining land, I do not see this feature, in itself, as being at odds with the adjacent development. However, the appeal site is not large and its development with 12 dwellings, in addition to the proposed access-way and parking spaces, would result in a more intensive development than that, generally, which surrounds the site. To my mind the site currently plays a valuable part in maintaining the open quality of the immediate area and, if the proposal were allowed to proceed, I believe this spaciousness would be adversely affected by the tight grouping proposed. I therefore consider that allowing this appeal would result in development too intensive for the size of site, out of keeping with the density of the surrounding area, and which would cause material harm to the appearance of the locality.

7. With regard to highway and traffic safety I have noted the points made about on-site requirements and it seems to me the scheme proposed falls short of a strict application of the Council's standards. However, I believe the detailed layout submitted, together with the careful demarcation between shared surfaces, footways and parking spaces would provide a reasonable level of control for vehicles, pedestrians and parking.

8. At the point of access to the highway I am aware that the minimum junction spacing standards cannot be fully met, but I have also borne in mind the comparatively minor nature of the accessway proposed. I further note the reduced bell-mouth radius proposed to the south but with the footway width and general visibility in this direction I do not see this as unacceptable. To the north it is proposed that the nearby bus-stop should be moved. With this, and the clearing of the frontage hedge and shrubs to the site, I believe a suitable sight-line could be achieved, although in terms of appearance the loss of the hedge would, in my view, be an adverse factor. On highway safety grounds alone I acknowledge the existence of a number of problems which would have to be overcome by attaching conditions but, had these been the only matters before me, I would not have considered them to be sufficient to justify dismissal of this appeal.

9. I have taken into account all the other matters raised in the representations, including the extensive discussions, to which you refer, which took place before submission of the planning application, but they do not outweigh the considerations which have led me to my decision.

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

I am Gentlemen  
Your obedient Servant

  
J.F. WRIGHT FRICS  
Inspector