

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

DACORUM BOROUGH COUNCIL

IN THE COUNTY OF HERTFORD

To Mr A Harwood
34 Eastnor
Bovingdon
Herts

Mr W G Spearing
123 High Street South
Stewkley

	Two storey side extension

at	34 Eastnor

	Bovingdon

Brief
description
and location
of proposed
development.

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 14.10.84 and received with sufficient particulars on 29.10.84 and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:—

The proposed two storey extension by reason of its bulk and scale would prove injurious to the residential amenity of adjacent dwellings and detract from the open character of this part of the estate.

Dated 18th day of December 19 84

Signed.....



Chief Planning Officer

NOTE

- (1) If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.
- (2) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
- (3) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.



**Department of the Environment and
Department of Transport**

Common Services

Room 1420 Tollgate House Houlton Street Bristol BS2 9 DJ

Telex 449321

Direct line 0272-218 927

Switchboard 0272-218811

**CHIEF EXECUTIVE
OFFICER**

14 AUG 1985

File Ref.

Refer to

Cleared

Mr Anthony Edwin Harwood
34 Eastnor
BOVINGDON
Hertfordshire
HP3 0QL

1) MB
2) CS

3) JOHNSON
4) TEAM 1

PLANNING DEPARTMENT DACORUM DISTRICT COUNCIL			
Your reference		Ack.	
Ref	Our reference	Date	
C.P.O.	T/APP/A1910/A/85/29232/P4	16	13 AUG 1985
Date		13	14 AUG 1985
Received		Comments	

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO: 4/1404/84

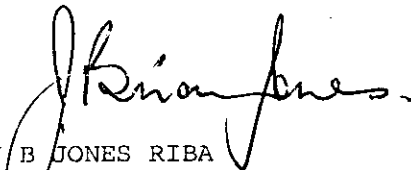
- As you know I have been appointed by the Secretary of State for the Environment to determine your appeal against the decision of the Dacorum Borough Council to refuse planning permission for a 2-storey side extension at 34 Eastnor, Bovington. I have considered the written representations made by you, by the Council, by the Bovington Parish Council and, also, those made by interested persons. I inspected the site on 9 July 1985.
- From my inspection of the site and its surroundings and from the written representations made, I am of the opinion that the main issues in this case are, firstly, whether or not the proposed extension would be unacceptably detrimental to the amenities presently enjoyed by adjacent dwellings and, secondly, whether or not the proposal would adversely affect the character and appearance of this part of Eastnor.
- The surroundings of no 34 Eastnor, are characterised by residential development of relatively high density, consisting of terraces and semi-detached houses, interspersed with the odd detached property. Although there have been instances of 2-storey side extensions in the locality, the appeal dwelling, and adjacent houses other than the realignment of your fence, have retained their regular and uniform layout. To my mind, notwithstanding the sense of enclosure which the close-boarded fence along your north-west boundary gives to the adjoining public footpath, the open, well laid out and attractive front gardens of the neighbouring houses, Nos 15-21 Eastnor, enhance this part of the estate. The erection of the extension as proposed would, I believe, be contrary to the interests of the character and appearance of this part of the estate, which depends essentially upon the spatial quality of the layout.
- It is true, as I observed during my site inspection, that side extensions have been permitted to No 14 Eastnor and No 20 Claverton Close but in my view, because of their situations and relationship to adjacent property neither, to any extent, diminishes the intended sense of openness of the immediate area, nor detracts from the visual amenity.
- Your proposal would also, I consider, impair the outlook from adjoining houses to the north-west especially Nos 19 and 21. It would accentuate the relatively narrow distance from the front of the houses to the close-boarded fence and furthermore the blank, flank wall, by reason of the height and bulk would, I have no doubt, have a somewhat overbearing effect on those dwellings.

6. I conclude, therefore, that the proposed extension would give rise to a situation detrimental to the character and appearance of the area and would have undesirable implications in regard to Nos 19 and 21 Eastnor.

7. I understand your need for additional accommodation but do not consider that the solution should be achieved at the expense of the general amenity of this part of Eastnor. I have taken account of all the other matters raised but they do not lead me to any other conclusion.

8. For the above reasons and in exercise of the powers transferred to me I hereby dismiss your appeal.

I am Sir
Your obedient Servant



J B JONES RIBA
Inspector

4/1404/84. TWO STOREY SIDE EXTENSION.
 34 EASTNOR, BOVINGDON.
 APPLICANT: MR A HARWOOD

DESCRIPTION

The application site comprising an end of terrace dwelling and garden is within the Grange Farm development at Bovington. The dwelling is set well back from Eastnor with pedestrian access to the front via a public footpath. (This footpath then continues to link Hyde Lane/Old Dean with Eastnor) Nos. 15, 17, 19 and 21 Eastnor front this footpath and in particular, Nos. 19 and 21 are immediately opposite the existing flank wall and boundary of No. 34. This north-western boundary of the application site is partly formed by a 1.8 metre high close boarded fence and partly by low shrub planting. At present, there is a flat-roofed single storey extension at the side of No. 34. The proposal is to demolish the existing side extension and erect a two storey extension to provide two additional bedrooms and a study and utility room. From the edge of the footpath to the existing flank wall of the house the ground level drops approximately 2-3 feet. The proposed extension will be 3.4 metres wide (11ft 2 inches) leaving a strip of land within the application site of between 0.9 metres and 1.75 metres and a minimum distance to the forward walls of the adjacent properties of 10 metres (32 feet 6 inches).

POLICIES

County Structure Plan	:	No relevant policies
Dacorum District Plan	:	Within the Specified Settlement of Bovington. Policies 18, 19 and 66

REPRESENTATIONS

Bovington Parish Council	:	"Opposed to this application". "The extension would have a dominating effect both on the path and on the front windows of the houses which would only be about 32 feet from the blank end wall..." The proposal would constitute overdevelopment, it would have a poor relationship to adjacent houses, and it would reduce the space about buildings.
--------------------------	---	--

CONSIDERATIONS - Whilst the proposed extension will inevitably be clearly visible from the front windows of Nos. 15, 17, 19 and 21 Eastnor the impact of the new work is unlikely to have any detrimental effects on these properties. The small drop in the level of the ground will reduce the apparent height of the proposed extension to the adjacent

properties and footpath, and as the present boundary treatment will remain, I consider that there will be little intrusion to the street scene in general. The work is to be carried out in matching brickwork and tiling and the design is in-keeping with the lines of the existing house. Similar two storey extensions have been permitted on this estate within the last year.

RECOMMENDATION - That planning permission be ^{REFUSED}~~GRANTED~~ (on form DC3) subject to the following conditions:-

- (1) See note +
- (2) See note M/M

*

*

*