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9 JUL 1986

 File Ref. ....  
 Ref. to CPO 9/7  
 CPO 9/7

A E King Esq BA(Hons) BPh MRTPI  
 Wetherby House  
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 BERKHAMSTED  
 Hertfordshire

Your reference

Our reference TOWN AND COUNTRY PLANNING DEPARTMENT T/APP/1417/15/7867/04760/P5					
Ref. Date		Ack.			
C.P.O.	D.P.	7 JUL 86	B.C.	Admin.	File
Received -9 JUL 1986					
Comments					

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
 APPEAL BY ALATH CONSTRUCTION LTD  
 APPLICATION NO:- 4/1446/85

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 decision of the Dacorum Borough Council to refuse outline planning permission for the erection of 3 dwellings on land at 10 Covert Close, Northchurch. I have considered the written representations made by you and by the council and also those made by the Northchurch Parish Council and interested persons. I inspected the site on 6 May 1986.
2. From what I have seen of the site and its surroundings and read in the representations I have formed the view that the principal issues in this case are twofold. Firstly, whether the proposal would materially harm the appearance and character of this residential area and, secondly, the effect of the scheme on highway safety in Covert Close.
3. The appeal site lies in an area of mixed housing on the south-western edge of Northchurch. To the north and east of the site the development, though fairly spacious by urban standards, tends to have a suburban appearance with the houses set in comparatively modest plots, fronting made up roads. However, to the north-west and west, the houses in Covert Road, lie in substantial sites with open land stretching away to the south. This locality has a semi-rural appearance, which derives from the unmade nature of this part of Covert Road and the location of many of the houses deep into their plots, giving a very spacious character. Covert Close forms the junction of these 2 areas with the existing housing providing a visual transition from the more closely developed areas to the north and east to the relatively open character of the housing to the north-west and west.
4. The proposed scheme represents a very significant increase in the amount of building on this plot, which, compared to the spaciousness of its surroundings, would give the site a congested, suburban appearance. Whilst this may be acceptable within the residential area to the north and east, where you refer to 3 similar areas of higher density housing, I consider it would look wholly out of keeping with the semi-rural environs of this plot.
5. Within Covert Close the existing chalet bungalows are sited well back from the road behind mature, well landscaped front gardens, with comfortable gaps between the dwellings. As the road itself is only narrow, the space around and to the

front of the buildings is essential in maintaining the fairly open quality of this area. The proposed scheme, however, would result in Plots 1 and 2 and 53 Covert Road having little space between them and Plot 1 would be quite close to Covert Close. In my view, the relationship of these dwellings to one another and to Covert Close would give the development a cramped appearance and the buildings would be prominent features dominating the site. This would conflict with the general character of Covert Close and, particularly, the land to the north-west, where the semi-rural nature of the area derives from the setting of the houses in spacious surroundings. In my opinion, the existing coniferous hedge would do little to soften the impact of such dense development.

6. As to Plot 3, I do not share the council's and local residents' concern about the building line in this case. I note that along Covert Road dwellings are set on various building lines. Although the dwellings immediately to the north-west are set well back from Covert Road, I do not feel the siting of a building in the position of Plot 3 would be visually unacceptable, provided the appeal site retains a spacious character. In my view, such a building would match the development on the opposite side of Covert Close. However, seen as part of a scheme of 3 closely related structures, this Plot would not have the openness necessary to maintain the semi-rural character of this area and, accordingly, the building would look intrusive. I conclude, therefore, that the cramped, congested appearance of this scheme relative to its surroundings, would be materially harmful to the character of this locality.

7. Covert Close is a steep, narrow cul-de-sac serving 10 dwellings, including the appeal site. Any vehicles parked in the road reduce its width to one carriageway and manoeuvring has been made more difficult by the recent erection of a new house served directly off the turning head. In my view, because of the restricted width of the road and the number of dwellings already served, space should be provided within any new development for adequate off-street parking and for vehicles to turn within the site to leave in a forward direction. Without such facilities, I consider additional development off Covert Close could lead to congestion with parked vehicles and conflicting traffic movements as vehicles reverse onto and off the highway. Whilst your scheme provides parking space for 2 cars for each dwelling, there is no space within the site for vehicles to turn round to leave in a forward direction. Accordingly, vehicles would need to reverse onto or off the highway which would cause danger to other road users. I note that in providing the parking spaces one behind the other with no turning facilities, this could lead to additional parking within the highway when the space on the site is already occupied. I conclude, therefore, that the access and parking arrangements for the proposed scheme are unsatisfactory and could lead to a reduction in highway safety within Covert Close.

8. I have taken into account all other matters raised in the written representations but find nothing of sufficient weight to override the conclusions I have reached. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir  
Your obedient Servant



LEONORA J ROZEE BA(Hons) MRTPI  
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

DACORUM BOROUGH COUNCIL

To Alath Construction Limited  
24 Lincoln Court  
Berkhamsted  
Herts

A. E. King  
Wetherby House  
The Hemmings  
Shootersway  
Berkhamsted  
Herts

Three Dwellings - Outline

at 10 Covert Close, Northchurch, Herts.

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 12.11.85. and received with sufficient particulars on 12.11.85. and shown on the plan(s) accompanying such application.

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

- (1) The proposed development would represent over-development of this particular site, affect adversely visual and general amenities and detract from the character of the area.
- (2) The increased traffic likely to be generated by the proposed development would be a potential hazard on adjacent highways which because of inadequate width and construction are unsuitable for such additional traffic.
- (3) The proposed location of Plot 3 would be particularly harmful to the visual amenity of adjoining dwellings, having particular regard to the layout of existing residential development in the vicinity.

Dated 8th day of January 19 86

Signed



Chief Planning Officer

#### NOTE

1. 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 s.36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form 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.
2. 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 Borough 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.
3. 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 s.169 of the Town and Country Planning Act 1971.