



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/1460/92

Pubmaster Ltd
19 Rupert Street
London
W1V 7FS

Harper Sarraf Sheppard Ass.
3 Ivebury Court
325 Latimer Road
London
W10 6RA

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

Corner Albert St/Langdon St, Tring.

ALTERATIONS TO AND PART DEMOLITION OF BOUNDARY WALL

Your application for *conservation area consent* dated 16.11.1992 and received on 17.11.1992 has been **REFUSED**, for the reasons set out on the attached sheet.

Director of Planning

Date of Decision: 07.01.1993

(ENC Reasons and Notes)



REASONS FOR REFUSAL
OF APPLICATION: 4/1460/92

Date of Decision: 07.01.1993

REFUSED for the following reason:

The alterations to and part demolition of the boundary wall are premature in advance of an approved scheme for development on this site and would, in isolation, be harmful to the character and appearance of this part of the Tring Conservation Area.



The Planning Inspectorate

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

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8 SEP 1993

Harper Sarraf Sheppard
Associates
3 Ivebury Court
325 Latimer Road
LONDON
W10 6RA

Your Ref:

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Our Ref:

T/APP/A1910/A/93/223081/P8

T/APP/A1910/E/93/809894/P8

Date: 17 AUG 1993

Dear Sir

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990,
SECTION 20 AND SCHEDULE 3
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEALS BY PUBMASTER LTD
APPLICATION NO: 4/1460/92
4/1459/92

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeals. These appeals are against the decisions of the Dacorum Borough Council to refuse planning permission for the construction of 3 No terraced 2 bedroomed houses and conservation area consent for alteration to brick boundary wall to facilitate residential development on land at corner of Langdon Street and Albert Street, Tring. I have considered the written representations made by you and by the Council and also those made by the Town Council and other interested persons including those made directly to the Council and forwarded to me. I inspected the site on 13 July 1993.

2. The appeal site is presently the garden to the rear of the Castle Public House which fronts onto Park Road. It is separated from the public house by a group of outbuildings with a small yard which are used for storage and parking. The site has a frontage to both Langdon Street and Albert Street and is bounded on those frontages by an old brick wall approximately 1.6 m to 1.8 m high. Small terraced houses on the north side of Albert Street face onto the site and the rear gardens of the houses facing Park Road abut the western and part of the southern boundaries. You propose to erect 3 terraced houses fronting onto Albert Street, the most westerly house having vehicular access to Albert Street, the other 2 being served off Langdon Street. The boundary wall would be reduced in height in front of the houses with appropriate openings for access.

3. From my inspection of the site and its surroundings and my consideration of the representations made, I consider the



main issues in this case to be firstly, having regard to the prevailing planning policies for the area, whether the proposed development would constitute an over-development of the site and whether it would preserve or enhance the character or appearance of this part of the Tring Conservation Area and secondly whether it would create conditions seriously detrimental to road safety.

4. The approved and adopted County Structure Plan 1991 and the Dacorum District Plan 1984 provide for new housing development to be concentrated within the urban areas which includes Tring. The Structure Plan also encourages the re-cycling and development of urban land for housing purposes whilst the Local Plan provides for the residential development of small sites within Tring subject to such proposals also meeting environmental guidelines. The environmental guidelines set out in the plan cover general matters such as layout, site coverage, access, car parking, amenity space and external appearance. The appeal proposal appears to accord with those general policies.

5. The site lies within the Tring Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, provides that in Conservation Areas special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The essential characteristics of this part of the Conservation Area are the fairly small, 2-storey terraced houses set close to the road or back of footpath which provides enclosure to the streets. The dwellings are mostly built in local vernacular style in varying shades of mellow brickwork with pitched slated roofs.

6. The Local Plan Conservation Policy requires any new building to be sympathetic in scale, form, height and materials with the Conservation Area as a whole. The Dacorum Draft Local Plan contains similar policies. The proposed dwellings would be of a design, scale and siting which would be in keeping with the other buildings in the area and this is not disputed. In my opinion the present site does not contribute significantly to the street scene being enclosed by the boundary wall. The proposal would be of a density similar to the surrounding development and would appear to provide adequate private amenity areas. It would impinge to some extent on the outlook from and daylight to the dwellings on the opposite side of Albert Street, but I consider that it would not be unduly harmful. The existing internal boundary wall and fence would prevent any serious overlooking or loss of privacy for the occupants of houses in Park Road.

7. The partial loss of the boundary wall on the Albert Street frontage would be compensated by the new dwellings providing the necessary street enclosure. The majority of the boundary wall along the Langdon Street frontage would be retained and the relatively small opening required for the vehicular access to the 2 houses would not be too significant. I therefore conclude on the first issue that the proposal would accord with existing planning policies, would not

constitute an over-development of the site and that it would preserve and enhance the character and appearance of this part of the Tring Conservation Area.

8. Turning to the second issue. The proposed access onto Langdon Street would be substandard. To provide the recommended visibility splays would entail removal of much of the boundary wall which would be detrimental to the character and appearance of the Conservation Area. The proposed vehicular turning space within the site, though somewhat restricted, would enable cars to turn and enter the road in a forward direction. Langdon Street appeared to be a relatively quiet road and use of the proposed access by a relatively small number of vehicles would be unlikely in my view to create serious road safety hazards. Albert Street is a narrow road with no footpath on the south side adjacent to the appeal site. It is however a quiet cul-de-sac road with a footpath on the north side and there are other similar accesses nearby. I therefore consider that this single access would be unlikely to create a serious road safety hazard.

9. The Council say that the proposal would result in a lost opportunity to provide off-street parking for the existing public house. You maintain that the Castle PH is a local town pub serving mostly the immediate residents of the area within easy walking distance and that additional car parking is not necessary. There is no evidence to show that customers of the public house presently cause any parking problems and you say that this fairly small premises is unlikely to change in character. Visitors to the proposed dwellings may cause some slight increase in on-street parking but I would not regard that as sufficiently serious to warrant refusal of consent on those grounds alone. I therefore conclude on the second issue that the proposed development will be unlikely to create conditions which would be seriously detrimental to road safety.

10. In summary therefore I regard the proposal as satisfactory from both environmental and road safety aspects and I propose to grant planning permission and conservation area consent for the proposed developments. In coming to this conclusion I have had regard to all other matters raised in the representations, including the views of the Tring Town Council, the Hertfordshire Building Preservation Trust and local residents, but they do not alter the balance of my conclusions on the main planning issues.

11. I have also considered what conditions it would be appropriate to attach to the permissions. It is important that the external materials are appropriate to the Conservation Area and details should therefore be approved prior to development taking place. Due to the prominent location within the Conservation Area and the fairly restricted site, it is important that the dwellings should not be altered or extended or buildings erected within the curtilages without permission. I therefore propose to impose a condition restricting permitted development rights. In the light of this the suggested condition preventing the erection

of any garages is unnecessary. Some adjustment of the access opening onto Langdon Street to improve visibility would be desirable and a condition requiring details to be approved is appropriate. The Council's suggestion of a condition requiring the wall adjoining both accesses to be reduced to 600 mm in height is considered excessive bearing in mind the normal height requirement of 1.1 m for vision splays. To ensure that the boundary wall has a satisfactory appearance where it is altered, the existing brickwork must be retained and the coping replaced. It is also imperative in the interests of road safety that the proposed vehicle parking and turning areas and the vehicular accesses should be completed before the dwellings are occupied.

12. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the construction of 3 No terraced 2 bedroomed houses on land at corner of Langdon Street and Albert Street, Tring in accordance with the terms of the application (No 4/1459/92) dated 16 November 1992 and the plans submitted therewith, subject to the following conditions:

1. the development hereby permitted shall be begun before the expiration of 5 years from the date of this letter;
2. details of the external building materials to be used for the proposed development shall be submitted to and approved by the Local Planning Authority before the development commences and the development hereby permitted shall be carried out in the materials so approved;
3. notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking and re-enacting that Order), no buildings shall be erected within the curtilage of these premises or any extensions or external alterations to the premises shall be carried out without the prior written consent of the Local Planning Authority;
4. development shall not begin until details of the proposed access between the vehicular turning area and Langdon Street have been approved by the Local Planning Authority; and the dwellings shall not be occupied until that access has been constructed in accordance with the approved details;
5. the proposed vehicle parking and turning areas and the vehicular accesses shall be completed in accordance with the approved plans before the dwellings are occupied.

13. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or

if the authority fail to give notice of their decision within the prescribed period.

14. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant Conservation area Consent for alteration to a brick boundary wall to facilitate residential development on land at corner of Langdon Street and Albert Street, Tring in accordance with the terms of the application (No 4/1460/92) dated 16 November 1992 and the plans submitted therewith, subject to the following conditions:

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

2. the wall, where reduced in height, shall be retained in the existing bricks and the copings shall be replaced.

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

Yours faithfully

D. L. Learoyd

D L LEAROYD MRTPI
Inspector