



# Department of the Environment and Department of Transport

Common Services

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CHIEF EXECUTIVE  
OFFICER

14 OCT 1987

File Ref.

Refer to

Cleared

280.14/10

Dunton Group PLC  
The Limes  
130 High Street  
CHESHAM  
Bucks

PLANNING DEPARTMENT  
DACORUM DISTRICT COUNCIL

Ref.

Ask.

C.P.O.

D.P.

D.C.

B.C.

Admin.

File

Your reference

ALW/CE/DG

Our reference

T/APP/A1910/A/87/69382/P3

Date

13 OCT 87

L1MB  
JCS  
3 JOHNSON

Gentlemen

Received

14 OCT 1987

Comments

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPLICATION NO: 4/1517/86

1. 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 the erection of 12 flats with access road and parking areas at 26-30 High Street, Bovingdon. I have considered the written representations made by you, by the Council and also those made by Bovingdon Parish Council. I inspected the site on 9 September 1987.
2. The appeal site is a plot of about 0.1 ha with a frontage to High Street and a return frontage to Old Dean, and is presently occupied by 3 cottages in poor condition with overgrown gardens at the rear. There are office premises adjacent to the north of the site with a path leading to a Baptist Church at the rear. On the opposite side of Old Dean is the vehicular entrance to a bakery. The proposal is to erect 2 blocks of 2-storey flats linked by an arch below which access would be gained from Old Dean. Circulation and parking space together with some planting and landscaping would be provided at the rear. From my inspection of the site and surroundings and consideration of the representations made I am of the opinion that the main issues to be resolved are whether the density of the proposed development would be excessive in this area, and whether the absence of amenity space within the site would be acceptable.
3. The Council drew attention to policies in the Hertfordshire County Structure Plan and the Dacorum District Plan relating to the provision of housing. Bovingdon was named in the District Plan as a specified settlement within which development was to be contained within the confines of existing development. The District Plan also set out guidelines on environmental matters and car parking standards affecting new development. The Council accepted that the site was capable of redevelopment at a reasonably high density, but noted that the proposals for the site exceeded those previously approved in the vicinity, and must be regarded as excessive. Car parking, although rather cramped, complied with District Plan standards, but a large proportion of the external space was given over to car parking and hard surfaces. This was inappropriate in this location, and as a result amenity provision was deficient. There was some contribution to visual amenity in the use of grass crete blocks in the parking areas and a reasonably comprehensive landscaping scheme. But there was no private or communal space where residents could sit out. The design of the building was functional without any outstanding architectural features and, although its impact would be lessened by virtue of its position on a corner site, its bulk and design must be regarded as incompatible with the relatively open appearance of Bovingdon High Street. The Council were aware that the Parish Council were concerned at the location of the access, but observed that it had been approved by the County Surveyor.

4. Bovingdon Parish Council considered that the proposal should be rejected on the grounds that: the density at 112 rooms per acre would result in overdevelopment of the site; there was lack of amenity space; the access would be too close to the High Street and opposite the bakery entrance, dangerous to pedestrians and in conflict with cars parked or using the access to the Moody estate; parking on the site would be too congested. An acceptable scheme of redevelopment should change the design, allow a green recreational area as well as car parking, and restrict density to about 75 rooms per acre.

5. You pointed out that various infill developments had taken place in Bovingdon in recent years, and you referred to earlier proposals to redevelop the appeal site. You reviewed the various relevant policies in the County Structure Plan and the District Plan and drew the conclusion that there could be no policy objection to the redevelopment of the appeal site, and you drew particular attention to the encouragement in Policy 16 of the Structure Plan for the achievement of as high a density in low rise redevelopment as would accord with the district planning authority's requirements. Extensive consultations had taken place prior to the submission of the planning application. You had reached agreement with the County Surveyor on the siting of the access, and you believed you had reached agreement with the Planning Officer on other planning matters. The application was presented to the Development Control Committee with an initial recommendation to allow, but which was changed to a recommendation to refuse permission, and the Committee's decision was to refuse. An error in the site plan gave the misleading impression that the density would be 112 rooms per acre; the true figure was 99 rooms per acre. Your Company had considered an earlier proposal to construct 12 one-bedroom flats at a density of 85 rooms per acre, but architectural considerations led to a wrap-around corner elevation with access gained under an archway and with additional bedrooms to fill the High Street frontage. The effect of this was that 4 of the flats would have 2 bedrooms, the density would be increased, and the parking requirement correspondingly enlarged. Although the scheme was not designed as sheltered housing accommodation, you believed it would prove suitable for elderly people. The amenity space at the rear involved minimum maintenance, which was appropriate for flats where amenity space tended not to be used but represented a maintenance responsibility. The present proposals attempted to achieve a balance by increasing the planting scheme to the rear, thus increasing the visual amenities of the area with raised flower beds and carefully selected trees. You were prepared to amend detailing, but the Council's requirements appeared to be for scaling down the scheme.

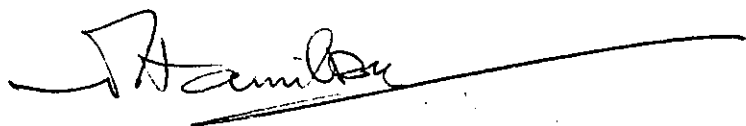
6. Some development has occurred in the vicinity of the High Street in Bovingdon, and no doubt other changes will take place, but it seems desirable that redevelopment should not alter the essential character of the village through excessive urbanisation. There is no dispute that the present appeal site, occupied by 3 old cottages, is suitable for redevelopment. In seeking to achieve a high density your Company can find support in the County Structure Plan and the general encouragement given by the Government for the best use to be made of land for housing. It is, however, necessary to be mindful of the important safeguards in Policy 66 in the District Plan for the protection of residential environment. Among these requirements are amenity space, landscape and car parking. It appears to me that the consequence of designing a scheme with this number of units and habitable rooms on this site, and providing the appropriate number of car spaces, has been to sacrifice altogether the amenity and sitting out space which residents would expect, and which the Council's policy requires. You suggest that amenity space of this kind is not really wanted and represents an unwelcome maintenance responsibility. I should have thought this unlikely in a village in a rural area such as this, and I do not consider that this approach is acceptable. You have explained the architectural considerations which led to the proposed design incorporating an access under an arch, and indeed I think this could prove an attractive feature. But essentially too much of the site would be covered by buildings, circulation space and parking

areas. Since it would in my opinion be quite unsuitable on this location to build higher, it appears to me that the scheme needs to be reconsidered with a view to reducing the density and improving the amenities on the site.

7. I have reached the conclusion that the redevelopment proposed is not suitable for approval in its present form. I have taken account of all views which have been expressed in the representations but find nothing of such weight as to change this conclusion.

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

I am Gentlemen  
Your obedient Servant

A handwritten signature in dark ink, appearing to read 'N Hamilton', is written over a horizontal line.

N HAMILTON  
Inspector

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972



## DACORUM BOROUGH COUNCIL

To  
Dunton Group PLC  
The Limes  
130 High Street  
Chesham

..... 12 flats, access road and car parking .....  
.....  
at 26-30 High Street, Bovington .....

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 ..... undated ..... and received with sufficient particulars on ..... 28 October 1986 ..... 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 density of development proposed is excessive and unwarranted in this location and would if permitted prove severely injurious to the general character and amenity of the area.
2. In specified settlements development will be limited to that which is compatible with the maintenance and enhancement of their character. In the opinion of the local planning authority the absence of associated amenity space and the impact of the proposed development on the appearance of the village High Street would be contrary to the objectives of Policy 15 of the approved County Structure Plan.

Dated ..... 16 ..... day of ..... December ..... 19 86 .....

Signed.....

SEE NOTES OVERLEAF

P/D. 15

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.