

## **6. APPEALS**

### **A. LODGED**

None

### **B. WITHDRAWN**

4/03471/15/ENA MR J CRITCHER  
APPEAL AGAINST ENFORCEMENT NOTICE  
BRAMBLES, DARRS LANE, NORTHCHURCH,  
BERKHAMSTED, HP4 3TT  
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### **C. FORTHCOMING INQUIRIES**

**14/15 February 2015**

4/02263/15/ENA HAMBERLINS FARM - MR G EAMES  
APPEAL AGAINST ENFORCEMENT NOTICE  
LAND AT HAMBERLINS FARM, HAMBERLINS LANE,  
NORTHCHURCH, BERKHAMSTED, HP4 3TD

### **D. FORTHCOMING HEARINGS**

4/00424/15/MOA Ediston Properties Ltd on behalf of Tesco Pensions Trustees Ltd  
CONSTRUCTION OF CLASS A1 RETAIL DEVELOPMENT (TO  
INCLUDE CONVENIENCE AND COMPARISON RETAIL  
FLOORPLACE AND ANCILLARY CAFE) AND CLASS A3  
DRIVE-THRU CAFE/RESTAURANT UNIT (WITH ANCILLARY  
TAKEAWAY) TOGETHER WITH ACCESS, CAR PARKING,  
SERVICE YARD AND ASSOCIATED WORKS  
JARMAN PARK, JARMAN WAY, HEMEL HEMPSTEAD  
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### **E. DISMISSED**

4/01052/14/FUL MR D DOWIE  
DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION  
OF TWO FOUR-BEDROOM DWELLINGS, TRIPLE GARAGE  
AND ASSOCIATED LANDSCAPING  
10 COPPER BEECH CLOSE, HEMEL HEMPSTEAD, HP3  
0DG  
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The Inspector considered that the main issues were:  
The effect on the character and appearance of the area;  
The effect on the living conditions of the neighbouring occupants with particular regard to outlook and privacy.

The Inspector concluded that the proposal would be harmful to the character and appearance of the area. The proposal would therefore conflict with Policy CS12 of the Dacorum Core Strategy 2013 and the guidance in the SPG. Policy CS12, among other things, seeks to ensure that all development respects adjoining properties in terms of layout; site coverage; scale; height and landscaping and amenity space.

The previous appeal scheme dwelling would have been visually contained within the backdrop of No. 10. However, the proposed dwelling extends forward towards the boundary with No. 4. The outlook from New Pastures would be severely curtailed by the introduction of an approximately 3.5 m high timber clad wall above the existing higher boundary fence line. This wall would be approximately 15m long and would be virtually unbroken except for two small high level bathroom windows at first floor level.

Dwelling 1 would extend past the existing rear elevation of No. 10 and even though it would be further away from New Pastures it would be taller than dwelling 2 and would further exacerbate the overbearing effect of the proposals on the outlook for the occupiers of New Pastures. For these reasons, I consider that the proposal would dominate the outlook for the occupiers of New Pasture's from their rear windows and garden area.

The front elevation of dwelling 1 would be approximately 27m to 29m from the rear elevation of 4 Aspens Place but it would be at a higher level. The Inspector concurred with the Inspector on the previous appeal that this compares favourably with the minimum distance of 23m now contained in Appendix 3 of the saved Policies of the Dacorum Borough Local Plan. The Inspector was satisfied that the proposal would not result in a harmful loss of privacy for the occupants of 4 Aspens Place.

The Inspector concluded that the proposal would be harmful to the living conditions of the occupiers of New Pastures with regard to outlook. This is contrary to Policy CS12 of the Core Strategy which among other things, seeks to ensure that all development avoids visual intrusion to the surrounding properties.

**F. ALLOWED**

None