

## 6. APPEALS UPDATE

### A. LODGED

- 4/00523/18/FHA Mrs Green  
TWO STOREY SIDE EXTENSION  
WINTER COTTAGE, BELL LANE, NORTHCHURCH, BERKHAMSTED,  
HP4 3RD  
[View online application](#)
- 4/01977/17/FUL Hounsfild LLP  
CONSTRUCTION OF 4 NEW DWELLINGS WITH AMENITY SPACE,  
CAR PARKING AND CYCLE STORAGE. PRIVATE GATED ACCESS  
DRIVE. PROPOSED NEW RETAINING WALL OF CONTIGUOUS  
PILING AND STEPOC BLOCK RETAINING WALL WITH GREEN  
WALL AND NATIVE TREE AND SHRUB SOFT LANDSCAPING.  
LAND TO THE REAR OF THE OLD SILK MILL, BROOK STREET,  
TRING, HP23 5EF  
[View online application](#)
- 4/02368/17/MOA Lumiere Acquisitions Ltd  
DEMOLITION OF A 4 STOREY OFFICE BUILDING. CONSTRUCTION  
OF UP TO 17 STOREY RESIDENTIAL DEVELOPMENT. FEATURING  
305 APARTMENTS, ON-SITE GYM AND LEISURE FACILITIES, ON-  
SITE COFFEE SHOP, ROOF GARDEN AND  
LIBRARY/OBSERVATORY, INTERNAL ARBORETUM, FUNCTION  
ROOM AND UNDERGROUND PARKING FACILITIES FOR 323 CARS  
IN AN AUTOMATIC CAR PARKING SYSTEM, WITH ON-SITE  
ELECTRIC CAR SHARE.  
THE BEACON, WHITELEAF ROAD, HEMEL HEMPSTEAD, HP3 9PH  
[View online application](#)
- 4/02926/17/FUL STERLING  
CONSTRUCTION OF 2 SEMI-DETACHED DWELLINGS AND  
DEMOLITION OF EXISTING GARAGE TO CREATE SITE ACCESS  
GREYMANTLE, HEMPSTEAD ROAD, BOVINGDON, HEMEL  
HEMPSTEAD, HP3 0HF  
[View online application](#)
- 4/03039/17/FUL Mr Alland  
DEMOLITION OF PIGSTY YARD AND STORAGE BARN.  
CONSTRUCTION OF NEW BUILDING FOR STORAGE OF GARDEN  
MACHINERY AND WORKSHOP, GREENHOUSE, PLANTING ROOM,  
POTTING SHED, HOME BREWERY AND STORE, CREATIVE  
STUDIO/HOBBY ROOM AND W/C .

BAG END, HOGPITS BOTTOM, FLAUNDEN, HEMEL HEMPSTEAD,  
HP3 0PX  
[View online application](#)

4/03153/17/FUL      Braybeech Homes Limited  
CONSTRUCTION OF TWO NEW SEMI-DETACHED THREE-  
BEDROOM DWELLINGS AND ASSOCIATED ACCESS.  
LAND TO THE REAR OF 21, 23 & 25 GROVE ROAD, TRING, HP23  
5HA  
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**B.      WITHDRAWN**

None

**C.      FORTHCOMING INQUIRIES**

4/02889/17/ENA      IVOR GREGORY  
APPEAL AGAINST ENFORCEMENT NOTICE - USE OF LAND FOR  
COMMERCIAL/RESIDENTIAL PURPOSES AND CONSTRUCTION OF  
STORAGE AREAS AND CONCRETE PAD  
THE RICKYARD, ASTROPE LANE, ASTROPE, TRING, HP23 4PN  
[View online application](#)

**D.      FORTHCOMING HEARINGS**

4/03082/16/ROC      Drift Limits and Cathy Leahy  
REMOVAL OF CONDITION 1 (TWO-YEAR TEMPORARY PLANNING  
PERMISSION) OF PLANNING INSPECTORATE DECISION  
(APP/A1910/C/14/223612) APPEAL OF PLANNING APPLICATION  
4/00435/14/ENA (MOTORCYCLE/MOTOR VEHICLE ACTIVITIES AND  
ASSOCIATED STORAGE/PARKING)

LAND AT RUNWAYS FARM, BOVINGDON AIRFIELD, UPPER  
BOURNE END LANE, HEMEL HEMPSTEAD, HP1 2RR  
[View online application](#)

4/03283/16/MFA      Grace Mews LLC  
DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF  
31 RETIREMENT APARTMENTS AND ANCILLARY FACILITIES  
INCLUDING COMMUNAL LOUNGES, GUEST ACCOMMODATION

AND STAFF OFFICES WITH ASSOCIATED ACCESS,  
PARKING, SERVICING AND AMENITY SPACE.  
SITE AT JUNCTION OF BROOK STREET AND MORTIMER HILL,  
TRING, HP23 5EE  
[View online application](#)

**E. DISMISSED**

4/01063/17/FUL      Bowhouse Dental  
PITCHED ROOF EXTENSION OVER EXISTING FLAT ROOF TO  
PROVIDE SECOND STOREY AND ALTERATIONS TO EXISTING  
PITCHED ROOF  
75 WESTERN ROAD, TRING, HP23 4BH  
[View online application](#)

The main issue is whether the development would preserve or enhance the Tring Conservation Area (TCA).

The appeal property is a traditional, semi-detached property with an anomalous two-storey, flat-roof side extension. It is sited prominently on the south side of Western Road, a busy high street, adjacent to the Anchor PH and close to the junction with Chapel Street. The property is currently in use as a dental surgery.

Despite its obvious aesthetic failings, the current side extension can at least be said to be subservient in scale to both the host building and the adjacent PH. Despite the flat-roof addition, the white facade matches neighbouring buildings and enables it to blend in such a way that I did not find it to be especially prominent in longer distance views up and down Western Road.

Although front gables are a common feature in the TCA, these are as part of a row or pair of houses where gables are a repeated feature providing symmetry and balance to a wider group. In this case the extension would be a crude and isolated addition to the host building in terms of its scale, form and appearance. It would relate poorly to adjacent buildings exacerbating the existing unbalance between No 75 and No 77.

Unlike the existing extension, it would be particularly prominent in longer distance views from where its protrusive, double gabled, roof form, being starkly juxtaposed with the area's traditional roofscape, would draw attention to itself in a manner that would be most unsympathetic to the host building and the wider Western Road street scene.

Whilst I accept that the expansion of the surgery would deliver community benefits, overall I concur with the Council that these modest benefits would be insufficient to outweigh the significant harm I have identified to the TCA. The development would thus conflict with Policies CS11, CS12 and CS27 of the 'Dacorum Local Planning Framework: Core Strategy 2013'. Amongst other things, these seek to conserve and enhance the appearance and character of conservation areas and promote high quality design that has an appreciation of the scale, height and layout of adjoining properties.

4/02422/17/FHA      Mr & Mrs S Rouse  
TWO-STOREY SIDE AND REAR EXTENSIONS, REMOVAL OF  
CENTRAL CHIMNEY, INSTALLATION OF DORMER WINDOWS AND  
ALTERATIONS TO FENESTRATION  
THE HOLLOW, TOMS HILL ROAD, ALDBURY, TRING, HP23 5SA  
[View online application](#)

## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the extensions proposed on the character and appearance of the host property and its setting within the Aldbury Conservation Area and the Chilterns Area of Outstanding Natural Beauty.

## Reasons

### Background

3. The appeal site comprises the garden of a detached house with rendered elevations and a tiled roof, which is located on rising land on the edge of the village of Aldbury. The proposal is to add side and rear extensions and remodel the building and its fenestration. The proposal has been revised from the initial plans which proposed a single gable on the front elevation and a double gable to the rear one, and it is now proposed to make fewer changes to the roof as shown on drawing 7129-02 Rev C. I have only had regard to these revised plans.

### Effect on the host building and wider area

4. The host building has modest proportions with a half-hip at both ends of the roof and small dormer and other window openings, with a central main chimney in the roof and lower chimney stacks at either end. The side of the property shows a single gable width but with a single storey cat-slide front and back as well as a single storey flat roof extension at the front. Overall, the existing property makes a positive contribution to the character of the conservation area and the wider landscape of the AONB.

5. Although the property occupies a prominent position on the inside of a bend in Toms Hill Road, the roadside shrubs and trees partly screen the property from the public realm, although the retention of these natural features cannot be relied on in the long term.

6. In assessing the effect of the proposals I have had regard to the design principles set out in the Chiltern Building Design Guide (2010). In terms of the overall form and design of the extensions proposed, I am concerned about the loss of the half hip at the southern end of the roof and its replacement with a full hip. Further, this hip would lead to a secondary ridge at right angles to the main ridge to form the gable. The scale of the partial 'crown roof' roof would be accentuated by the addition of two part-dormer windows on this side elevation. There would be a similar building bulk shown on the south facing elevation particularly at first floor level.

7. The bulk and form of the extensions and remodelling would materially change the design and appearance of the building. Whilst it is not of great antiquity, I agree with the Council that the present cottage form of the property would be lost and it would be replaced by a dwelling with an imposing and awkward form. In particular there would a loss of a simple vernacular form when seen in the street scene around the site frontage and when approaching down Toms Hill Road from the north. I appreciate that this individual view is limited to a short part of the street at the moment but in my judgement the appearance and design of this dwelling plays an important part in establishing the character of the area at an entrance to the village and its wider setting in the AONB.

8. I acknowledge that the original scheme has been amended in order to try and overcome the Council's stated objections; nevertheless I have made my assessment on the revised plans. I have also considered the scheme for an extension as previously approved in 2011 and while this introduced a single rear gable, the overall design, width and form of the property was retained

and I consider that this permitted scheme was materially different in form. I have also had regard to the photographs submitted by the appellants' agent of other extensions or new properties in the locality. None of these examples suggest to me that the conclusions I have reached above are wrong in design terms.

9. Overall, I find that the design and form of the extensions and remodelling put forward would materially harm the character and appearance of the host property and it would also harm and not preserve or enhance both the character and the appearance of the Aldbury Conservation Area. Therefore the statutory test is not met and the proposal would conflict with the requirements of Core Strategy Policies CS11, CS24 and CS27 and in terms of conserving the distinctive character of the historic environment and the special qualities of the AONB.

10. In terms of the guidance set out in Section 12 of the National Planning Policy Framework (the Framework) I find that the harm to the heritage asset would amount to 'less than substantial harm' as referred to in paragraph 134.

#### Planning balance

11. On the main issue I have found that the proposed extension would neither preserve or enhance the character or the appearance of the host property but would harm its setting in the conservation area and its contribution to the AONB. This adverse effect has to be balanced with other considerations.

12. I acknowledge that the scheme would rationalise and improve the internal accommodation within the property and would benefit the occupiers. However, I find that this factor does not constitute a public benefit in the context of the paragraph 134 of the Framework. The benefits do not outweigh the adverse effects that I have concluded will arise with the proposed scheme and the conflict with the development plan. This indicates that planning permission should not be granted.

#### Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

4/02713/17/FUL

Mr Forbes

DEMOLITION OF GARAGE AND CONSTRUCTION OF TWO SEMI  
DETACHED DWELLINGS

LAND R/O, 50 LOCKERS PARK LANE, HEMEL HEMPSTEAD, HP1  
1TJ

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I do not consider that the location of the accesses would pose a significant highway safety problem. There is no dispute that local standards require a minimum of 2 parking spaces per property. However, due to constraints in size and shape, the driveway would only be physically capable of accommodating 1 vehicle. If it is to be on the driveway then I concur with the Council that there is very strong likelihood of vehicles overhanging the footway something which is both illegal and could result in vulnerable pedestrians having to walk in the carriageway. It could also impede visibility at the adjacent priority junction for other road users.

The immediate area is part of a planned estate development distinguished by brick-built detached and terraced dwellings of varying scale arranged along a consistent building line. These characteristics are reflected in the 'HCA9: Hammerfield North Character Appraisal' (CA) which refers to a 'medium density residential area featuring a variety of architectural ages and designs but possessing little unifying character throughout'.

Although the estate has a broadly open character, frontage areas tend to be dominated by hardstanding for the parking of cars particularly to the south where there is a marked increase in density. Whilst some dwellings benefit from front gardens, overall the area did not strike me as

being particularly verdant, spacious or sensitive in any other regard.

The Park Hill Road roofscape contains an eclectic range of designs, including large bulky, front dormers that cannot reasonably be described as uniform or remarkable. The proposed valley roof would therefore contribute to the range of roof forms along Park Hill Road adding variety and interest.

There would be limited scope to implement some landscaping to the site frontage. However, with cognisance to the prevalence of frontage car parking in the area and the approved scheme to the south, I can find nothing objectionable about the parking layout in visual terms.

I have found that the development would be acceptable with regards to its effect on the character and appearance of the area. I also accept that the development would make efficient use of the land and deliver two dwellings in an area of need. Nonetheless, these benefits do not outweigh the harm to highway safety and the conflict with the development plan in that regard.

Accordingly, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

**F. ALLOWED**

None