

6. APPEALS

A. LODGED

- 4/00371/14/FUL BELGRAVE PROPERTY DEVELOPMENTS LTD
DEMOLITION OF EXISTING GARAGE AND WORKSHOP
BUILDINGS AND CONSTRUCTION OF 1 NO. 4 BEDROOM
DWELLING, DETACHED CAR PORT AND BIN STORE AND
ASSOCIATED HARD AND SOFT LANDSCAPING.
R/O 114-138, PICCOTTS END, HEMEL HEMPSTEAD, HP1
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- 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
[View online application](#)
- 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
[View online application](#)
- 4/02051/15/FUL Lancaster Brown Surveys Ltd
TWO STOREY ROOF EXTENSION AND SIDE EXTENSION TO
PROVIDE AN ADDITIONAL 7 DWELLING UNITS. CONVERSION
TO PROVIDE 2 RESIDENTIAL UNITS AND CONVERSION OF
PRIVATE STAIRCASES TO COMMUNAL.
NATIONAL WESTMINSTER BANK PLC, 12 BANK COURT,
HEMEL HEMPSTEAD, HP1 1BS
[View online application](#)
- 4/02312/15/FUL Mr K Pritchard
REPLACEMENT DWELLING
6 HIGHCROFT ROAD, FELDEN, HEMEL HEMPSTEAD, HP3
0BU

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4/02694/15/LDP MR K PRITCHARD
SINGLE STOREY SIDE AND REAR EXTENSIONS AND
CONSTRUCTION OF 4 DETACHED OUTBUILDINGS
6 HIGHCROFT ROAD, FELDEN, HEMEL HEMPSTEAD, HP3
0BU
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4/02893/15/ENA MR J ROBB
APPEAL AGAINST ENFORCEMENT NOTICE
LAND NORTH OF HOME FARM, FLAUNDEN BOTTOM,
LATIMER, CHESHAM, HP5
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4/02894/15/ENA MR J ROBB
APPEAL AGAINST ENFORCEMENT NOTICE
LAND NORTH OF HOME FARM, FLAUNDEN BOTTOM,
LATIMER, CHESHAM, HP5
[View online application](#)

B. WITHDRAWN

None

C. FORTHCOMING INQUIRIES

4/02263/15/ENA HAMBERLINS FARM - MR G EAMES
APPEAL AGAINST ENFORCEMENT NOTICE
LAND AT HAMBERLINS FARM, HAMBERLINS LANE,
NORTHCHURCH, BERKHAMSTED, HP4 3TD
[View online application](#)

D. FORTHCOMING HEARINGS

None

E. DISMISSED

4/02985/14/FUL Thompson
ADDITION OF NEW TWO STOREY ONE BED DWELLING WITH
REAR RETAINING WALL, ASSOCIATED GARAGE PARKING
AND NEW ACCESS FROM ST PAULS ROAD.
238 QUEENSWAY, HEMEL HEMPSTEAD, HP2 5DF
[View online application](#)

The appeals was dismissed. The Inspector considered that the proposed new dwelling would disrupt the rhythm of the street and its distance from the nearest semi-detached house would result in it appearing isolated beyond the established line of dwellings thereby placing the development at odds with the regimented and strongly defined building line to the south west. The Inspector goes on to say that the need to taper the rear half of the south western flank wall would result in the dwelling having an awkward and contrived appearance and as a whole, the site is constrained lending itself to poor design. The Inspector considered that whilst the area comprises a mix of house types, there are no other detached houses in the vicinity and the introduction of a single detached dwelling of the design proposed would sharply contrast with the predominant style of dwellings in St. Pauls Road.

From a streetscene and design perspective, the Inspectorate considered that the proposal would appear as an incongruous addition to the street scene with a resulting detrimental effect on its overall character and appearance thereby running counter to adopted Core Strategy.

The second reason for refusal related to the proposed gardens and the Inspector agreed with the Council, stating that the rear garden would be very constrained at only 6.2m long, worsened by the fact that the garden would be split across two very different levels resulting in the proposed patio area being extremely hemmed-in between the rear elevation of the house and the retaining wall. Overall, the view was taken that the rear garden would lack coherence, resulting in an unacceptable poor quality space for the dwelling's occupiers.

F. ALLOWED

4/00615/15/ENA Mr R Snowling
APPEAL AGAINST ENFORCEMENT NOTICE
LAND ADJ. 32, (34) VICARAGE LANE, BOVINGDON, HEMEL
HEMPSTEAD, HP3 0LP
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The case related to a new end of terrace property that had not been constructed in accordance with the approved plans, in particular an integral garage had not been provided. This led to the serving of an Enforcement Notice on the grounds of insufficient

off-street parking and the impact of vehicles on the mature oak tree immediately in front of the site.

The Inspector concluded that the arrangements for parking for the new and existing house would have no material effect on existing conditions of highway safety. The failure to comply with the Council's car parking standard was justified by the sustainable location of the site as is provided for by DBLP policy 58 so as to encourage movement other than by private car and thus the Inspector found no conflict with CS12(b) in that sufficient parking is provided in this particular case.

In respect of the oak tree the Inspector agreed that this makes a positive contribution to the character and appearance of the area and could see that car movements, as a result of the new layout, overrunning the grass verge close to the tree. However, the Inspector concluded that the future well being of the street tree could be protected through a condition securing additional mitigation / protection measures for the tree.

4/00723/15/FHA MR & MRS G NEWCOMBE
GARAGE CONVERSION WITH FIRST-FLOOR EXTENSION
ABOVE
5 THE OLD FORGE, TRING ROAD, LONG MARSTON, TRING,
HP23 4RL
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Summary of Inspectors Response

The proposed extension would relate satisfactorily to the original design concept by the continuation of the half hipped roof element and with matching roofing and facing materials. The jettied front elevation would introduce additional visual interest to the street elevation and in the context of the overall building it would be subservient and a modest addition in terms of its scale and impact. Being set well away from the side boundary with No 1 Astrope Lane, and with a limited roof form, I am also satisfied that it would not be overbearing or dominate it from a design point of view.

With regard to parking, I noted the limited size of the existing garage, its unsuitability for the parking of most modern cars and the fact that it is used for storage purposes at the current time. Furthermore I agree with the Council that one additional bedroom is unlikely to create any significant parking demand over and above what is currently the case for the existing dwelling. I also agree with the Council that the proposed extension would have no adverse effect on the occupiers of No 1 Astrope Lane, given the fact that it would be set well away from the common boundary and that the rear of an existing garage is already set forward of No 1's front elevation. There would be no issues arising from the proposed rear dormer window given that it would primarily overlook a courtyard parking area.

Given the above, the proposal would comply with Policy CS27 of the Council's Core Strategy 2013 in that it would protect the setting of the heritage assets. Conditions requiring the development to be carried out in accordance with the approved plans and for matching materials, are necessary in the interests of good planning. Accordingly, subject to those conditions, the appeal should be allowed and planning permission granted.

4/02835/14/RET

Mrs Barrett

RETENTION OF BOUNDARY FENCE

ADJ. 3 & 4 ILEX COURT, MONTAGUE ROAD, BERKHAMSTED,
HP4

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The case related to the construction of a close board timber boundary fence enclosing the shared amenity area for Ilex Court, a 1970s development accessed off Montague Road. The appeal fence adjoins a wide public footpath linking Montague Road with Doctor's Common Road and adjoins the Berkhamsted Conservation Area. The front boundary of Ilex Court is an historic ~1m high brick wall and the appeal fence sits on top of/ behind this, rising to a height just over 2 metres and stepping down with the fall of the site.

The Inspector concluded that the fence would have a neutral effect and therefore would preserve the character and appearance of the CA. The inspector did not consider the fence to be prominent in the street scene in Montague Road, and although the fence was in a visible location, was not incongruous. The Inspector cited the variety of boundary treatments in the area, including an example of close board fencing over brick wall, in concluding that the boundary fence would not be out of place or harmful to the character or appearance of the area.

4/03613/14/FUL

Mr Jump

DEMOLITION OF EXISTING HOUSE AND REPLACEMENT

WITH 2 DETACHED DWELLINGS WITH ASSOCIATED ACCESS
ARRANGEMENTS (REVISED SCHEME).

27 HALL PARK GATE, BERKHAMSTED, HP4 2NL

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This appeal was allowed and planning permission granted for demolition of an existing house and replacement with 2 detached dwellings with associated access arrangements. The Inspector considered that the main issue in the appeal was the effect of the development proposed on the character and appearance of the area also having regard to the street scene. However, the Inspector found that the proposed development would not result in harm by way of overdevelopment or detrimental effects to the character and appearance of the area and the street scene and that the proposal is in overall compliance with the provisions of the development plan and the NPPF.

In respect of the appellant's application for costs, the Inspector found that the Council's refusal to grant planning permission did not constitute unreasonable behaviour that has put the appellant to unnecessary or wasted expense and as such, the application for costs was dismissed.