

A. LODGED

4/00118/16/RET DOLLMAN
RETENTION OF AMENITY LAND AS RESIDENTIAL GARDEN
1 CHEVERELLS CLOSE, MARKYATE, ST ALBANS, AL3 8RJ

4/00538/16/FHA Mr S Thomas
GROUND FLOOR SIDE EXTENSION
8A THE GREEN, POTTEN END, BERKHAMSTED, HP4 2QH

4/00544/16/FHA MRS DUNCAN
TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION, NEW CAR
PORT AND ALTERATIONS TO APPEARANCE OF THE HOUSE
KINGSMEAD, KINGS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EN

4/00645/16/FUL RiverGate Homes Ltd and Paul and Elizabeth Rooksby
CONSTRUCTION OF 4 DWELLINGS AND ASSOCIATED PARKING AND
LANDSCAPING.
LAND ADJ. TO 26, STATION ROAD, BERKHAMSTED, HP4 2EY

4/00689/16/FHA Mr Kilich
TWO STOREY FRONT EXTENSION, TWO STOREY REAR EXTENSION
AND ALTERATIONS TO ROOF TO CREATE A THIRD FLOOR INCLUDING
TWO FRONT AND TWO REAR DORMER WINDOWS, AND THREE ROOF
LIGHTS TO EACH SIDE ELEVATION
BRIARS ORCHARD, SHOOTERSWAY LANE, BERKHAMSTED, HP4 3NW

4/02187/15/FUL CASH
CHANGE OF USE OF LAND TO A RESIDENTIAL CARAVAN SITE FOR 8
GYPSY FAMILIES - EACH WITH TWO CARAVANS WITH CONSTRUCTION
OF A UTILITY BUILDING AND ASSOCIATED HARD STANDING.
LAND WEST OF THE BOBSLEIGH HOTEL, HEMPSTEAD ROAD,
BOVINGDON, HEMEL HEMPSTEAD, HP3

4/02690/15/FUL E L MORGAN
CHANGES TO FLAT ROOF TO FORM SUNKEN TERRACE AND NEW
DOORS TO REPLACE EXISTING WINDOW TO BEDROOM
313A HIGH STREET, BERKHAMSTED, HP4 1AL

4/03999/15/FUL Mitchell
CONSTRUCTION OF TWO-STOREY 2-BEDROOM HOUSE ON LAND
ADJACENT TO THREEFIELDS.
SITE ADJACENT THREEFIELDS, SHEETHANGER LANE, FELDEN, HEMEL
HEMPSTEAD, HP3 0BJ

4/04024/15/FUL

GFL Management & Wyevale GC
CHANGE OF USE OF PART OF EXISTING EXTERNAL STORAGE/CAR
PARKING AREA (A1) TO CAR WASH AND VALET SERVICE, INSTALLATION
OF DOUBLE CANOPY, WASH SCREEN, CABINS FOR OFFICE/REST
ROOM, SECURE STORAGE, PERGOLA, LANDSCAPING AND FENCES
CHIPPERFIELD HOME & GARDEN CENTRE, TOWER HILL,
CHIPPERFIELD, KINGS LANGLEY, WD4 9LH

B. WITHDRAWN

None

C. FORTHCOMING INQUIRIES

4/00488/16/ENA

MR A MATHERS
APPEAL AGAINST ENFORCEMENT NOTICE, CONVERSION OF ONE
DWELLINGHOUSE TO SEVEN FLATS
1 AIREDALE, HEMEL HEMPSTEAD, HP2 5TP

4/02187/15/FUL

CASH
CHANGE OF USE OF LAND TO A RESIDENTIAL CARAVAN SITE FOR 8
GYPSY FAMILIES - EACH WITH TWO CARAVANS WITH CONSTRUCTION
OF A UTILITY BUILDING AND ASSOCIATED HARD STANDING.
LAND WEST OF THE BOBSLEIGH HOTEL, HEMPSTEAD ROAD,
BOVINGDON, HEMEL HEMPSTEAD, HP3

D. FORTHCOMING HEARINGS

4/01123/15/FUL

Smyth
CONVERSION OF AN EXISTING STABLES TO FORM A SINGLE FOUR
BEDROOM HOUSE WITH GARAGE AND WORKSHOP (REVISED SCHEME).
FLAUNDEN HOUSE STABLES, FLAUNDEN, HEMEL HEMPSTEAD, HP3
0PW

E. DISMISSED

4/01679/15/MOA

E. J Waterhouse & Sons Ltd
PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 25 HOUSES (4 X
4 BED 10 X 3 BED AND 11 X 2 BED) WITH GARAGING, PARKING AND NEW
ESTATE ROAD - OUTLINE APPLICATION WITH ALL MATTERS RESERVED
EXCEPT LAYOUT AND ACCESS.
LAND R/O 71 - 87A AND, 89 SUNNYHILL ROAD, HEMEL HEMPSTEAD, HP1

Dismissed appeal on grounds of overdevelopment following committee overturn. I have to say I wasn't expecting the highway reason to be supported by the Inspector, although felt more comfortable about the

cramped / overdevelopment argument.

The Inspector gave little weight to the extant allowed appeal in 2013 on the site for 13 dwellings as it covered less than half the site, included flats, was further from the western boundary and the overall coverage appears less dense with a more spacious relationship with the allotments and housing on Sunnyhill Rd.

The Inspector considered that the current appeal proposal would have front and rear gardens of limited depth, with only four dwellings having a footway between their frontage and the access road, and seven dwellings lacking vehicular hardstanding beside the dwellings themselves. These factors indicated overdevelopment. The Inspector felt that the short lines of terraces stepping up the slope, across the valley, with separate garage blocks was piecemeal and would not reflect the prevailing grain of development, and would disrupt views along the valley. As such it would appear cramped and fail to relate to the more spacious context of the existing gardens. She concurred with the Council that a lower density was appropriate.

Although noting few trees are worthy of particular retention, the Inspector felt that the scrubby hedgelines do contribute to the area's verdant character and, despite that Tree Officer's view that the tree planting locations are acceptable, she agreed with the Council that the limited garden depths on the western boundary would put retained and new tree planting under pressure from occupiers wishing to minimise shading. This pressure would not be relieved by the plots widths of 8-10 m whilst the line of the dwellings would cause shading from the east, adding to pressure to remove obstacles to direct sunlight. It was also noted that the layout plan shows the tree canopies at a significantly reduced size and the RPAs impractically close to some dwellings. In addition the limited frontages would limit areas for new tree planting. Accordingly the verdant nature of the site would be significantly affected and represent overdevelopment.

The Inspector gave the argument that the proposal would represent optimal development little weight as the relevant policies (21) and NPPF (58) also say that development should not be permitted where the amenity or character of the area would be harmed.

In terms of the highway reason, the Inspector noted that the effects of the development on the efficient and safe operation of the highway would be the potential increase in vehicle movements along Sunnyhill and Melsted Roads, (which the engineers report states would be approximately double that of the extant permission), and the demand for on-street parking. She noted that the Inspector on the 2013 appeal found no harm in respect of the capacity of the new junction or vehicular and pedestrian safety. However, notwithstanding that there is no objection from the highways authority with regard to network capacity, she appreciated the concerns of residents that even a modest increase in traffic volume along Sunnyhill Road would increase congestion at times when there is only one running lane. She gave some weight to the fact that there is a significant history of non-personal injury, vehicle to vehicle, significant enough to report to the police. The Inspector also noted that there would be a small deficit of parking provision (56 shown but 59 required) and that the tandem parking layout for most plots would mean it was impractical and inconvenient to park both vehicles within the curtilages. Therefore she was not persuaded that there would not be an increased demand for on-street parking in Sunnyhill Road, whilst the increased traffic would be likely to cause increased congestion during peak times. Whilst not sufficient in themselves to warrant dismissal, they supported her overall concerns about overdevelopment.

4/02263/15/ENA

HAMBERLINS FARM - MR G EAMES
APPEAL AGAINST ENFORCEMENT NOTICE
LAND AT HAMBERLINS FARM, HAMBERLINS LANE, NORTHCHURCH,
BERKHAMSTED, HP4 3TD

This appeal related to the use of an agricultural field as a construction/vehicle/materials storage yard with a large bund having been constructed around it. The site is located within the Green Belt and the Chilterns AONB. The storage yard had increased over a number of years from a very small area (Stage 1), to the interim point (Stage 2), and then to its current large size (Stage 3). The appellant withdrew the Ground (a) appeal very late in the appeal process and the Council has been awarded its Costs in its wasted resources defending this appeal. The appellant also conceded that the Stage 3 land took place in 2014, and as such conceded that the earth bund was not immune from enforcement of action through the passage of time, but argued that the Stage 2 area had existed for more than 10 years prior to the serving of the Enforcement Notice. However, the Inspector gave greater weight to the Council's aerial photo of July 2006

(within the 10 year period) than to the appellant's witnesses whose 'personal recollections are subject to error'. As such the appeal was dismissed and the Enforcement Notice takes effect with some corrections in the interest of clarity.

4/02925/15/FUL

Mr M Patel
PROPOSED DEMOLITION OF GARAGES AND CONSTRUCTION OF TWO
BEDROOM DWELLING
LAND REAR OF 100 HIGH STREET, TRING, HP23 4AF

The Inspector acknowledged that principle of a dwelling is not in dispute, that the proposal would provide acceptable parking provision and would have no harmful effect on the living conditions of adjoining occupiers. However, this does not outweigh the considerable weight that I give to the failure to preserve or enhance the character and appearance of the TCA.

F. ALLOWED

4/02278/15/FHA

Williams
BOUNDARY FENCING AND ASSOCIATED LANDSCAPING
6 KILN CLOSE, POTTEN END, BERKHAMSTED, HP4 2PX

Summary

Main Issue

The effect of the development on the character and appearance of the area and street scene.

Reasons

Much of the main cul-de-sac is characterized by open frontages, with several front gardens containing low level fencing, hedging and other semi mature planting. However, almost opposite the appeal site, the tall side gable of No.10 stands exposed close to the highway edge. Next to the gable, directly opposite the appeal site along the rear garden of No.10, a dark stained close boarded fence, around 1.8m high with low scrubs and planting, is situated about 1.0m from the highway boundary. Together these features dominate the immediate street scene.

The current fence replaces a previous, older fence that was reported to have been damaged following the removal of a tree. From the appellant's statement and those received from some of the third parties, it would appear that the original fence, although set back further from the highway, had been in position for some time and as such had become part of the established character and appearance of the area.

The final form and overall height of the boundary, as proposed, will not appear dissimilar to that previously in place on this boundary. The proposal to relocate and set back the fence by about 1m from the highway (1.5m at the corners) and introduce some planting in front will help to soften the impact of the fencing on the street scene, as seen directly opposite.

The appeal fence will match and join with the existing 1.8m high fencing that extends along the side boundaries of the garden to No. 6. Whilst this fencing forms the side boundaries, it is clearly evident in views from both directions along the road and as such contributes to the street scene. This fencing and other fencing in the immediate vicinity of the site, shows that timber fencing does not represent a wholly uncharacteristic feature within the immediate area. As a result, this gives the appeal site's surroundings a more distinctive character which differs from that experienced further along the more verdant main cul-de-sac.

Conclusion

The above considerations lead me to conclude that the replacement fencing would not have an adverse

effect on the character and appearance of the area, nor the street scene. Therefore, I find no conflict with Policies CS6, CS11 and CS12 of the Dacorum Core Strategy (2013), which seeks to ensure that new development is well designed and integrated with the existing properties and the surrounding area and, does not adversely affect the character and quality of the street scene and surrounding area. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Conditions:

The development hereby permitted shall be carried out in accordance with the approved plans: 6KC-01 (A), 6KC-02 (A) 6KC-03 (A) and 6KC-04 (A).

Within 3 months of the date of this decision the current fencing shall be removed and repositioned in accordance with the approved plans set out in condition 1 above.

The development hereby permitted shall be constructed in the materials specified in the approved plans set out in condition 1 above.

4/03729/15/FHA

Mr & Mrs Brinklow
TWO STOREY FRONT AND REAR EXTENSIONS
6 THE BEECHES, TRING, HP23 5NP

The proposal was for the erection of two storey front and rear extensions at 6 The Beeches, Tring.

The main issues are the effect of the proposal on the character and appearance of the street scene and on the living conditions of residents of nos. 5 and 7 The Beeches in respect of outlook.

Street scene:

The additional mass from the proposed front infill and roof extensions would appear proportionate to the existing dwelling, and not out of place in respect of adjacent dwellings and the street scene. The increase at the rear and sides would not be prominent from views within the street and, in any event would not appear out of place in a street of moderate to large sized houses.

Impact on amenity of neighbours:

In respect of no. 5, there is an existing wide gap at first floor level between the 2 dwellings with no. 6's driveway and no. 7's side garage in between. The proposed increase in 2-storey built form at the front and rear of no. 6 would maintain the separation between the 2 dwellings. There would therefore be no overbearing impact on the residents of no. 5.

In respect of no. 7, the 2 dwellings are closer together and the gap narrower than with no. 5. At the rear, on the boundary, the existing single storey utility extension close to a rear window at no. 7 would be removed. The proposed 2-storey extension would be offset from the boundary by about 1.5m maintaining the gap between the gable walls of the 2 dwellings. The extensions would project rearwards for about 5m at ground floor level, and about 4.1m at first floor.

Whilst there would be new building close to the rear of no. 7, I am mindful that the proposal meets the commonly used 45 degree guideline taken from the centre of the nearest ground floor and first floor windows at no. 7. The guideline gives an indication of the line of sight from rear windows and whether there would be an overbearing aspect. Taking into account the size of the proposed rear projection and the separation from the boundary, I find that the effect on outlook would not be so significant that there would be material harm to residents' living conditions.