
Appeal Decision

Site visit made on 19 September 2016

by Grahame Gould BA MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13th October 2016

Appeal Ref: APP/B1930/W/16/3152442

74 West Riding, Bricket Wood, Hertfordshire AL2 3QQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr G Vetere against the decision of St Albans City & District Council.
 - The application Ref 5/16/0289, dated 29 January 2016, was refused by notice dated 25 April 2016.
 - The development proposed is demolition of existing side extension and erection of two attached dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on: the character and appearance of the area; and the living conditions for the occupiers of 74 West Riding (No 74) and the development.

Reasons

Character and Appearance

3. No 74 is a three storey, end of terrace, townhouse with a two storey side extension. No 74 occupies a corner position at the junction of West Riding with Oak Avenue and Lye Lane.
 4. The appeal development would involve the demolition of the side extension and the construction of two houses, referred to as Nos 74A and 74B on the applications drawings (which I shall refer to as units A and B), as an extension to the terrace of the four properties at Nos 68 to 74. The proposed houses would have accommodation on three levels, with the upper level being in the roof space and the roof design would include front and rear dormers.
 5. The proposed houses by comparison with the prevailing situation would involve development being brought much closer to the No 74's boundary with Oak Avenue. The resulting development would have a much harder appearance and be in close proximity to the tree lined junction between West Riding, Oak Avenue and Lye Lane and I find that it would not be respectful of the sylvan character of the street scene at this point. Allowing for the tapering nature of No 74's side boundary, unit B, in particular, would have a very dominant presence in the street scene, being immediately adjacent to
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the back edge of the footway in Oak Avenue. Given that pinch point I am not persuaded that tree or shrub planting of the scale necessary to soften unit B's appearance could be provided. I recognise that building lines in the area are quite varied, however, I find that this development would not be respectful of the spaciousness of many of the corner plots in this area.

6. While the houses have been designed to appear as subservient additions to the terrace, I find that they would nevertheless have an awkward appearance relative to it, given the inclusion of the front and rear dormers, the step in ridge lines between the new and existing dwellings and the fact that the properties in this terrace and those at Nos 60 to 66 have such a distinctive design for this area. I therefore find that the houses would be a discordant addition to Nos 68 to 74. In this respect the new houses would have a much greater mass than the extension they would replace and I therefore find that the former's substitution for the latter provides no support for this proposal.
7. I find the staggered footprint of units A and B relative to one another and Nos 68 to 74 would further contribute to the awkwardness of this development's appearance and leave it, in my opinion, with the appearance of being an incongruous afterthought, rather than a development contributing positively to the street scene. In this respect I find the staggered relationship between the terraces at Nos 60 to 66 and 68 to 74 to be different because it relates to whole terraces rather than part of a terrace.
8. It is agreed that the Council cannot currently demonstrate the availability of a five year housing land supply (HLS) and that has implications for whether any policy of the St Albans District Local Plan Review of 1994 (the Local Plan) that affects the supply of housing can be considered as being up to date, having regard to the National Planning Policy Framework (the Framework), most particularly paragraphs 14 and 49.
9. Saved Policies 69 (General Design and Layout) and 70 (Design and Layout of New Housing) of the Local Plan address the quality of the design for new development and I therefore find them to be policies that do not directly affect the supply of housing. Accordingly, notwithstanding the current HLS position and the Local Plan's age, I find Policies 69 and 70 not to be out of date and to be consistent with the Framework, because of their promotion of development that is of a high quality and respectful of its surroundings. I therefore find this is a case where the appeal should be determined in accordance with the development plan, unless material considerations indicate otherwise.
10. For the reasons given above I have found that the development would be harmful to the character and appearance of the area. There would therefore be conflict with Policies 69 and 70 of the Local Plan and the Framework, most particularly paragraphs 17 (the fourth core planning principle – securing high quality design), 56, 57, 58, 60, 63 and 64. This is because the development would not be of a high standard of design and it would fail to be respectful of its surroundings or add to the overall quality of the area.

Living Conditions

11. The staggered siting of the new houses would mean that unit A would project 2.0 metres beyond No 74's rear elevation and units A and B would have a similar stepped relationship. I accept that this staggered siting would have

some implications upon the outlook and the receipt of natural light for the occupiers of No 74 and unit A. However, I consider that the extent of the rearward projections for unit A relative to No 74 and unit B relative to unit A would not be so significant as to be harmful to the living conditions for the occupiers of No 74 and unit A in terms of the levels of outlook and natural lighting that would be available to them. In this respect it is of note that the rear elevations of these properties have southerly aspects and it is not uncommon for dwellings to be sited on the stagger. A nearby example of a staggered siting arises between Nos 66 and 68 and this is much more pronounced than would be the case for the appeal development and Nos 66 and 68 have a similar orientation.

12. I therefore conclude that there would be no harm to the living conditions for the occupiers of No 74 and unit A. Accordingly there would be no conflict with Policy 70 of the Local Plan and the fourth core planning principle (paragraph 17 of the Framework) in that the affected properties would receive acceptable levels of natural lighting and the existing and future occupants of the buildings would have a good standard of amenity.

Other Matters

13. This development would contribute to the supply of housing within the Council's area, albeit that this contribution would be relatively modest. I also recognise that in terms of accessibility to services, community facilities and transport infrastructure this would be a sustainable location for housing, given the site's location within the built confines for Bricket Wood beyond the Metropolitan Green Belt. While the aforementioned matters weigh in favour of the appeal proposal I find them to be outweighed by the visual harm that I have identified. I consider the nature of the harm that there would be means that this development would be an unsustainable one, when the Framework is read in the round, as required by paragraph 6.

Conclusions

14. While I have found that there would be no harm to the living conditions for the occupiers of No 74 and the development, there would be harm to the character and appearance of the area. That harm would result in conflict with various Local Plan policies and I therefore conclude that the appeal should be dismissed.

Grahame Gould

INSPECTOR