

Appeal Decision

Site visit made on 25 April 2017

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 16 May 2017

Appeal Ref: APP/B1930/W/16/3165016

19 Pilgrim Close, Park Street, St. Albans AL2 2JD

- 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 Callum Lomas against the decision of St Albans City & District Council.
 - The application Ref 5/16/3268, dated 31 October 2016, was refused by notice dated 9 December 2016.
 - The development proposed is construction of adjoining two bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description. I shall determine the appeal on this basis accordingly.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site forms part of the garden area at the side of 19 Pilgrim Close (No.19) a semi-detached two storey dwelling at the end of a cul de sac in a mature well-established residential area.
 5. Although there is some variation in the style of the houses, the end of Pilgrim Close in the vicinity of the site is typically characterised by semi-detached dwellings set back from the road behind front gardens/driveways. Pairs are relatively evenly spaced, of comparable scale and form, with uniform separation distances between them. Where garages and other structures exist between dwellings, these are very low, clearly subsidiary, and have little impact upon the sense of separation. No. 19 being situated on an end plot has even more expansive grounds, which add to the open character and appearance of the street scene, which is further enhanced by the presence of mature landscaping and established trees within the surrounding gardens.
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6. The proposal would involve the construction of a two bedroomed, two storey dwelling attached at the side of No. 19 with associated car parking, garaging and landscaping. A new car hardstanding and refuse storage facility to serve the existing dwelling would be provided that I observed had already been provided at the time of site visit at the front of the appeal property.
7. The proposed dwelling would be situated in the characteristic open gap between the adjacent properties. Such positioning, on what would be an atypically narrow plot, would compromise the sense of space and openness between the dwellings and interrupt the established rhythm of development in the area. These shortcomings would be exacerbated by the proposed dwelling's position, where it would be visible along Pilgrim Close and from the rear of the adjacent properties on Spooners Drive to the north-west of the site.
8. I recognise that the scale and design of the proposed dwelling would be in line with the two storey side extension granted planning permission at No. 19 in July 2016¹ and has been redesigned to take into account the previous Inspector's comments on the planning appeal dismissed at the appeal property in 2016². In my view, the proposed extension approved and the previous extensions dismissed would be materially different to the proposal now before me and the approved extension would have a more limited impact on the area. The subdivision of the plot and the introduction of garden structures, fencing and other domestic paraphernalia would ensure that the proposal would not amount to a subservient form of development in this location and would fail to promote or reinforce the distinctive characteristics of the area.
9. I have considered the appellant's arguments regarding works associated with the property including car hardstanding and fencing undertaken at the front of the appeal property and other properties in the area. Whilst the design and use of matching materials with these works would assist with integrating the proposal with the appeal property and the area, these aspects do not overcome the adverse effects outlined above and the presence of other works in the area does not set a precedent for such inappropriate development in this location for the reasons set out above. I consider that these factors would not outweigh the site's significant shortcomings I have identified in this case.
10. Consequently, I conclude that the development would result in an incongruous and out-of-keeping addition that would adversely harm the character and appearance of the area. It would conflict with Policies 69 and 70 of the St Albans District Local Plan Review 1994, which I consider relevant in this case. These policies, amongst other things, seek to ensure that all development will be of a high standard of design that have regard to its setting and respects the character of the surrounding area.
11. In addition, it would not accord with the aims of the National Planning Policy Framework (the Framework) that development should seek to secure a high quality of design (paragraph 17); to respect the local character (paragraph 58); and to promote or reinforce local distinctiveness (paragraph 60).

¹ 5/2016/1834

² APP/B1930/W/16/3145188

Other Matters

12. The Council accepts that it cannot demonstrate a five year supply of deliverable housing sites. Paragraph 49 of the Framework states that relevant policies for the supply of housing cannot be considered up to date if the local planning authority cannot demonstrate such a supply. Paragraph 14 of the Framework sets out the presumption in favour of sustainable development. For decision making this means that where the development plan is absent, silent or relevant policies are out of date, planning permission will be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Sustainable development is identified as having social, economic and environmental roles in the Framework.
13. The appellant states that the proposal would be well connected to existing services and facilities and provide some social and economic benefits through contributing to the supply of starter homes in the area and would be built by a small independent builder using good quality materials. However, while I note the appellant's view that the scheme's design would amount to environmental benefits, I have found above that taken overall the development would harm the area's character and appearance. This harm would conflict with the environmental dimension of sustainable development and, in my view, would be sufficient to significantly and demonstrably outweigh the scheme's benefits when assessed against the policies in the Framework as a whole. The proposal would not therefore amount to sustainable development in the terms of the Framework.
14. I have noted the objections from St. Stephen Parish Council and the local residents to the proposal. However, in light of my findings on the main issue of the appeal, my decision does not turn on these matters.

Conclusion

15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR