
Appeal Decision

Site visit made on 17 May 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 31 May 2017

Appeal Ref: APP/B1930/W/17/3169595

Garage, rear of 132 Southdown Road, Harpenden, Hertfordshire AL5 1PU

- 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 David Cumming against the decision of St Albans City & District Council.
 - The application Ref 5/16/2522, dated 11 August 2016, was refused by notice dated 16 November 2016.
 - The development proposed is extensions to roof and change of use of garage to class C3 (residential) to create one bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of development as it is shown on the appeal form. This differs from that shown on the application form but it more accurately describes the development to which this appeal relates. It is clear that the Council are content with this approach since the same description appears on their decision notice. I have also taken the appeal site address from the appeal form since it is the most accurate and complete version. I have proceeded on this basis.

Main Issues

3. There are two main issues. These are:
 - Whether or not the proposed development would preserve or enhance the character or appearance of the Harpenden Conservation Area (HCA); and
 - The effect of the proposed development on the living conditions of future occupiers.

Reasons

The Harpenden Conservation Area

4. The appeal building is a detached single storey ancillary garage block comprising three garage doors and a single window to the front elevation. It is finished in brick with a tiled pitched roof. It is located to the rear of a service yard between the rear elevations of larger properties that face Southdown
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- Road and a shop car park. Despite its recessive street scene location, it is highly visible from both Piggotts Hill Lane and the aforementioned car park.
5. The proposed development would extend the roof and provide a forward projecting gable with a dormer window to the side. The overall height, width and design of the gable would make the building appear unbalanced. In association with the dormer, this would result in a much more substantial building and thus visual effect. The ancillary building would then compete for visual dominance with the surrounding buildings, contrary to its existing relationship with them. The increased prominence of the building would be readily identifiable in the public realm as I have set it out above.
 6. I accept that the immediate setting of the building is not of significant architectural quality but this is not sufficient to justify adding to it, particularly in the case of this single storey ancillary outbuilding in a highly prominent location.
 7. For these reasons, the proposed development would cause harm to the HCA. The harm would be less than substantial and in accordance with paragraph 134 of the Framework¹, it should be weighed against the public benefits. It would provide for a new dwelling, adding to housing mix locally as well as the Council's overall supply. This benefit is however very limited in its overall scale and as such would not outweigh the harm that I have found.
 8. Since the proposed development would cause harm to the HCA, it neither preserves nor enhances its character or appearance. Thus it would conflict with saved Policies 11, 69 and 85 of the Local Plan². These Policies, amongst other things and along with sections 7 and 12 of the Framework, seek to ensure that new development is of a high quality and contextually appropriate design and appearance and the historic environment is safeguarded from harm.

Living Conditions

9. The proposed development would provide for a single bedroom dwelling, arranged over two floors. It would have an open plan living/kitchen/dining area to the ground floor and a bedroom with en suite bathroom to the first.
10. The ground floor accommodation would have a single window. This is an existing opening in the building and would look onto the rear service yard that forms the immediate surroundings of the garage. Whilst limiting the light into the ground floor, it would not do so to an unacceptable degree. However, owing to the garage's surroundings the outlook from it would be restricted solely to the service yard in front and as such would be of an unacceptably poor quality.
11. Servicing and vehicle circulation areas, as well as the parking of vehicles, form the immediate setting of the appeal building. Future residents would therefore likely experience noise disturbance from activity related to regular comings and goings as well as deliveries. This would add to the harm that I have identified above. I accept to some extent the appellant's argument that additional sound insulation could be incorporated into the scheme. However, having to explore this adds to my concern that the site may not be an appropriate location for a new dwelling. When also taking into account my other findings.

¹ The National Planning Policy Framework 2012

² City and District of St Albans District Local Plan Review 1994

12. Notwithstanding my opinion on light and the fact that existing local residents would also likely be affected by activity in the immediate area, the above factors would combine to form an oppressive and unwelcome living environment for future occupiers of the dwelling, to the detriment of their living conditions. As a result the proposed development would fail to accord with saved Policies 11, 69 and 70 of the Local Plan. These Policies, amongst other things, seek to ensure that new development has a high standard of design that is not harmful to the living conditions of occupiers. It would also conflict with one of the core principles of the Framework which seeks to ensure a good standard of amenity for existing and future occupiers of land and buildings.

Other Matters

13. The appellant states that the Council are unable to demonstrate the required supply of housing sites as set out by the Framework. The Council's evidence confirms this. Neither party elaborates. The scheme would provide for a single dwelling which would make a limited strategic difference in any event.
14. There would be some social benefits arising out of providing a new dwelling and some economic benefit in sustaining jobs in the local construction industry. These benefits would however be equally limited. Even when taken together, they would not be sufficient to outweigh the environmental harm that would be caused as I have described it. Moreover, the saved development plan policies that I have referred to above consider, amongst other things, matters of design, the historic environment and the living conditions of occupiers. They are not therefore directly relevant to the supply of housing.

Conclusions

15. For the above reasons, and having regard to all other matters raised, the appeal is therefore dismissed.

John Morrison

INSPECTOR