
Appeal Decision

Site visit made on 5 June 2017

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

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

Decision date: 21st July 2017

Appeal Ref: APP/A1910/W/17/3168228

1 Barberry Road, Boxmoor, Hemel Hempstead HP1 1SD

- 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 Steven Whiston against the decision of Dacorum Borough Council.
 - The application Ref 4/01857/16/FUL, dated 28 June 2016, was refused by notice dated 7 September 2016.
 - The development proposed is the construction of a single dwelling to the rear of 1 Barberry Road, Boxmoor with vehicle access from Gravel Lane.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The area is characterised by large detached dwellings on spacious plots, with open plan front gardens heavily dominated by soft landscaping. A particularly strong characteristic relating to the appeal site is the staggered building line between Nos. 82 and 94 Gravel Lane which follows the gently curving profile of the highway.
4. The proposed dwelling would project beyond the staggered building line and in doing so, would result in a dwelling that appears very much at odds with the prevailing pattern of development and jars with the visual coherence of Nos. 82 to 94. As a consequence, it would be an unduly dominant feature in the streetscene and would erode the overall integrity of the relationship between the dwellings at Nos. 82 to 94 and the highway. It would also result in the creation of a front garden notably shorter in depth than that at No. 82. For these reasons, it would create the impression of a high-density development that has been tightly squeezed onto the site, out of kilter with the curved building lines and low density character of the surrounding area, as described in the HCA8: Counters End character appraisal¹. The public views of the proposal and its relationship with the neighbouring dwellings would be clearly visible when approaching from both directions on Gravel Lane, which would intensify this harmful impact.

¹ Area based Policies, Supplementary Planning Guidance, May 2004

5. It is acknowledged that the design of the dwelling is similar to others in the vicinity and that the scheme would allow for some soft landscaping in the front garden and the retention of existing landscaping in the garden of No. 1 Barberry Road. I am also satisfied that there would remain a sufficient gap between the proposed dwelling and No. 82. However, this would not reduce the harmful visual impact identified above.
6. The proposed rear garden fails to comply with Appendix 3, Para. A3.6(ii) of the Local Plan² in that it is less than 11.5metres and fails to provide a garden of equal depth to the adjoining property (No. 82). Although the garden may be acceptable from a functional perspective, its restricted depth would not allow for the same extent of landscaping as adjoining properties and reinforces my view that the development is incongruous with the low-density plot character of the area.
7. I acknowledge that the siting of the proposed dwelling has been led by the desire to balance the need for a sufficient rear garden whilst maintaining a spacious frontage. However, the fact that neither has been achieved when set against the context of adjoining properties demonstrates the constrained nature of the site and that the proposal is not compatible with the existing character of the area.
8. In view of the above, I consider that the proposal would adversely affect the character and appearance of the surrounding area and be therefore contrary to Policies CS11 and CS12 of the Core Strategy³, which seek to ensure that new development respects the local density of the area, preserves attractive streetscapes and enhances the space between buildings.

Other Matters

9. The appellant has drawn my attention to a number of other developments, but these are not directly comparable to current proposal in terms of style of dwelling proposed and townscape character. I am also not aware of the particular circumstances where planning permission was granted for these and in any event, I must consider the appeal scheme on its own merits. The existence of these other developments does not therefore justify the harm I have identified and nor do the private benefits of providing the additional dwelling to cross-subsidise the extensions to No. 1 Barberry Road.
10. I note the Appellant's concerns regaining pre-application discussions, but these have little bearing on the planning merits of the scheme before me.

Conclusion

11. In view of the above, having had regard to all other matters raised by interested parties, I conclude that the appeal should be dismissed.

Robert Fallon

INSPECTOR

² Dacorum Borough Council Local Plan 1991-2011, adopted 21 April 2004

³ Dacorum Core Strategy 2006-2031, adopted 25 September 2013