



Appeal Decision

Site visit made on 8 August 2019

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2019

Appeal Ref: APP/J1915/D/19/3231397

119 Station Road, Puckeridge, Ware, SG11 1TF

- 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 Dr Collette Cochrane against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/0133/HH, dated 24 January 2019, was refused by notice dated 8 April 2019.
 - The development proposed is the conversion of a front garden, approximately 50 m², to provide vehicular access and hardstanding.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed vehicular access and hardstanding on the character and appearance of Station Road.

Reasons

3. No 119 is a modern semi-detached house situated on the northern side of Station Road, close to the junction with Perowne Way. The Puckeridge Tributary, which is a small brook, runs along the eastern boundary of the site and then turns to the east to follow the road. The property, along with the adjoining No 117, was recently constructed on what was once the side garden of No 115 Station Road. There is a service road running between Nos 115 and 117 that leads to a parking area for 4 cars at the rear. This parking area apparently serves Nos 115, 117 and 119 Station Road, and there is access to the appeal property via a gate from the parking area.
4. The proposed development would involve the construction of a hardstanding for a vehicle on what is now the front and side gardens of No 119. The development would include the creation of a 4m wide vehicular access through the current front hedge and verge, with a new crossover onto Station Road.
5. The appeal property was erected subsequent to a planning permission in 2015 for a pair of semi-detached houses. The permission was subject to a landscaping scheme which required the maintenance of the hedge on the front boundary of the plot and the strengthening of the landscaping behind the hedge, to include retention of an existing tree close to the eastern boundary, alongside the tributary.

6. The current front and side gardens at the appeal property are given over entirely to lawn, with the original tree still in place. There is a small area of grass immediately to the front of the house, with a slight drop in levels between this and the larger grassed area to the side. The side garden is largely triangular in shape and this area would become a hardstanding for car parking, whilst the small front garden would also be paved. It is not clear how the difference in levels would be dealt with.
7. Policy DES3 of the Council's District Plan (DP) indicates that development proposals must demonstrate how they will retain, protect and enhance existing landscape features which are of amenity and/or biodiversity value, in order to ensure that there is no net loss of such features. Moreover, where losses are unavoidable and justified by other material considerations, compensatory planting or habitat creation will be sought either within or outside the development site.
8. Policy NE3 of the DP indicates that development should always seek to enhance biodiversity and to create opportunities for wildlife, and that proposals must demonstrate how the development improves the biodiversity value of the site and surrounding environment. Moreover, proposals should detail how physical features will be maintained in the long term, and development which would result in the loss or significant damage to trees or hedgerows will not be permitted.
9. The Council contends that the proposed development would result in the loss of existing hedging both to the front of the property and adjacent to the Puckeridge Tributary. The Council acknowledges that the loss would be relatively minor, but there is already adequate parking available at the rear of the property and no justification exists for the reduction in the quality of the street scene and the loss of riverside habitat.
10. The appellant contends that there would be very little loss of front hedge, and that the hedging along the bank of the tributary would not be affected. From the information before me, it would appear that the boundary fence to the side of the appeal plot, whilst somewhat higher than that previously existing, would occupy roughly the same line, and the proposal would be contained within the boundary. It would therefore have little or no additional impact on the habitat alongside the tributary at the side of the appeal site.
11. However, this part of Station Road is typified by a degree of openness created by the tributary as it turns to run along the side of the road, and by the school campus further to the east. The hedge at the front boundary of the appeal property, together with the garden and other boundary treatments, appear as a visual continuation of this openness. The hedge has already been punctuated by the front entrances to the new houses and the strengthening of the landscaping along the front of the property has not yet taken place. I consider that the proposal, which would create a hardstanding across the whole of the front and side gardens of the property, would be harmful to the character and appearance of this part of Station Road, and would fail to protect and enhance existing landscape features which are of amenity and biodiversity value.
12. The existing tree in the side garden is a significant feature in the visual appearance of the property. Whilst it may well be possible to protect the root system of the tree as part of the development, I have concerns that the hardstanding and the resultant activity under and around the tree associated

with car parking and related activities, could damage the health of the tree in the long term, or could lead to proposals to remove, or significantly cut back the tree at some time in the future. This would add to the harm to the character and appearance of the area as outlined above.

Other Matters

13. The appellant contends that the position of the allocated parking at the rear of the property is unsatisfactory and feels unsafe. I have some sympathy with the appellant if that is the case. However, it is likely that there would be other ways of improving surveillance and access with regard to the existing shared car parking area, and also potential for provision of electricity charging points at the rear of the property. I do not consider, therefore, that this issue compensates for, or outweighs, the harm to the character and appearance of the area that would be caused by the proposal.
14. The appellant has also offered an alternative landscaping plan to that submitted, which would result in a small amount of grassed area around the tree and along the side boundary being retained. However, it is not the function of the planning appeal system to enable the ongoing development of a scheme. In any case, it would appear unlikely that retention of a small area of grass/garden could compensate for the significant loss of landscape and biodiversity features that would result from the proposal.

Conclusion

15. I find that the proposal would be harmful to the character and appearance of the area around Station Road, and that it would conflict with Policies DES3 and NE3 of the DP. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR