
Appeal Decision

Site visit made on 8 October 2019

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2020

Appeal Ref: APP/B1930/W/19/3228529
20 Tassell Hall, Redbourn AL3 7JD

- 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 Andy Harrison against the decision of St Albans City & District Council.
 - The application Ref 5/19/0125, dated 5 February 2019, was refused by notice dated 3 April 2019.
 - The development proposed is a two-storey side detached house with associated landscaping and parking.
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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 appeal site comprises the rear garden of No 20 and 20a Tassell Hall located on a prominent corner which is characterised by two storey dwellings with long rear garden set back from the highway behind grass verges, low walls and hedges which contribute to a spacious environment. Corner plots, in the surrounding area, have a greater degree of spaciousness which allows for an appreciation of these long rear gardens which adds to this pleasant environment.
4. Notwithstanding the lack of local opposition and the general mass and alignment of the proposed dwelling with No 26, the development by virtue of its position in the rear garden of No 20 and 20a and the size and shape of the plot would be at odds with the pattern of development in the surrounding area.
5. Whilst the proposed amenity space would be usable the lack of plot depth results in a contrived design that would fail to integrate with the established pattern of development adversely affecting the character and appearance of the surrounding area.
6. I note the appellants comment's that the gardens of the appeal site and No 38 are untypical or 'wasted' spaces. However, I find that these elongated gardens contribute to the spacious character of the corner plots and the area more

widely. I note that the National Planning Policy Framework (The Framework) encourages windfall sites and the effective use of land in meeting the need for homes. However, this must be considered against safeguarding and improving the environment. I have already found that the development would result in harm to the area's character and appearance.

7. Taking all of this into account, the proposal would run counter to Policy 69 and 70 of the St Albans District Local Plan Review (1994) (LPR) which set out that all development shall have an adequately high standard of design taking into account context such as scale and character of its surroundings. It would also run counter to LPR Policy 70 which requires the design and layout of development to have regard to its setting, character and surroundings.
8. The Council accept that they cannot demonstrate a five-year housing supply of deliverable housing sites. In the absence of a five-year housing supply paragraph 11(d) of the Framework states that where the policies which are most important for determining the application are out-of-date permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
9. In terms of housing supply, I accept that the development would contribute to the district's housing need. However, this would be a very modest contribution. The proposal would provide a limited amount of short term employment during construction of the house. Accordingly, the benefits would be limited and the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole.
10. Moreover, I consider LPR Policies 69 and 70 to be broadly consistent with the aims of the Framework to achieve well designed places and give significant weight to the proposals conflict with them.

Other Matters

11. I acknowledge that the design of the dwelling is acceptable and that suitable materials could be employed. I also accept that there were no technical objections to the development. While these matters are material considerations that weigh in favour of the proposal. I do not consider that either individually or cumulatively they outweigh the harm identified above.
12. I note that representations were made by a local resident raising additional concerns. However, given my findings on the main issues, it is not necessary to consider these matters in detail.

Conclusion

13. For the reasons set out above and having regard to the development plan when read as a whole, the appeal is dismissed.

B Thandi

INSPECTOR