
Appeal Decision

Site visit made on 12 November 2019

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2020

Appeal Ref: APP/B1930/W/19/3236458

Land at corner of Pinewood Close and Longacres, St Albans

- 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 Charlie Wade against the decision of St Albans City & District Council.
 - The application Ref: 5/19/0782, dated 8 March 2019, was refused by notice dated 21 June 2019.
 - The development proposed is the demolition of an existing garage, clearance of an overgrown brownfield site and the construction of a new two bed energy efficient compact home.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site consists of a corner plot located at the junction between Pinewood Close and Longacres. The site is of an irregular shape owing to the position of the fence at the corner of the two roads. The site currently contains some garaging and hard surfacing. The character of Pinewood Close and Longacres can be summarised by the presence of terraced and semi-detached dwellings that are set back from the highway by a uniform distance. In front of the existing dwellings is car parking and landscaping. This creates a generally uniform, open character.
4. The proposed development would represent the creation of a detached dwelling, which would conflict with the prevailing characteristic of regularly occurring semi-detached and terraced dwellings. This is concerning as the proposed and existing dwellings would be readily viewed alongside one another, thereby eroding the prevailing character.
5. In addition, the plot size and positioning of the garden are markedly different to many within the surrounding area. This would be compounded by the proposed boundary treatments, which would give the proposed development an enclosed character, in conflict with the more open form of development apparent elsewhere. In consequence, the proposed development would appear incongruous, given the regularity of the existing character of development.

6. The inappropriate form of development would be exacerbated by the presence of views of the appeal site from Pinewood Close. Whilst dwellings within this street are common, they are generally located on one side only. The side of Pinewood Close adjacent to the appeal site features low-level garages and outbuildings. Therefore, when viewed from Pinewood Close, the proposed dwelling would appear significantly taller than the neighbouring buildings, which would lead to an erosion of the prevailing open character.
7. The shape of the plot is also incongruous owing to the road layout. This results in a curved side boundary, which conflicts with the rectangular, more regular, plot shapes that characterise the plots of nearby developments. The proposed dwelling, by reason of the size and shape of the garden, would also be closer to the junction of Longacres and Pinewood Close than the nearby dwelling at 2a Longacres, which is sited on the other side of the junction. This creates a cramped form of development, which contrasts to the open form of development apparent within the vicinity.
8. Whilst I have had regard to the presence of some planting and landscaping to the rear of the site, this is likely to offer only a partial screening effect. Accordingly, I do not believe that it would fully mitigate the impacts of the proposed development.
9. I have also had regard to the appellant's intention to plant further landscaping on the appeal site. However, the limited size of the appeal site is such, that after the car parking has been constructed, there would not be enough room for a suitable quantity of landscaping to be planted. Therefore, such landscaping would not enable the development to harmonise with its surroundings.
10. The incongruous form of development is particularly concerning owing to the prominence of the appeal site. In addition to leading to Pinewood Close, Longacres also leads to other streets within the vicinity, as well as the wider pedestrian network. In consequence, the incongruous form of development would be experienced by a significant number of people.
11. Whilst I acknowledge that the site already features a degree of development, this is notably smaller than the scale of the proposed dwelling. In consequence, I do not believe that its presence requires me to disregard my previous concerns.
12. I have also had regard to the appellant's suggestion that a condition could be imposed to remove permitted development rights for future extensions. Whilst this would ensure that any future development could be managed, I do not believe that this overcomes the harm associated with the form, siting and plot shape of the development as currently proposed.
13. As a result, I conclude that the proposed development would result in a significant adverse effect upon the character and appearance of the surrounding area. The development would therefore, in this regard, fail to comply with the requirements of Policies 69, 70 and 74 of the City and District of St Albans District Local Plan Review (1994). These policies, amongst other matters, require that new developments be of appropriate massing and siting; respond to the scale and character of the surroundings; and, where necessary, provide appropriate planting.

Other Matters

14. By common agreement, the Council cannot currently demonstrate a five-year housing land supply. In consequence, the tilted balance required by paragraph 11(d) of the National Planning Policy Framework (the Framework) would apply. This states that planning permission should be granted, unless the adverse impacts significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.
15. In this case the benefits would include the provision of a single dwelling on a site that has previously been the subject of some development and would add to the mixture of house types within the locality, whilst being constructed in an environmentally sustainable manner. However, such benefits are relatively small-scale and localised in impact. Accordingly, these benefits are significantly and demonstrably outweighed by the harm to the character and appearance of the area, as previously identified.
16. I have also had regard to the appellant's suggestion that the building would be self-built. Whilst the provision of such a dwelling would be of some benefit in increasing the types of housing available within the locality, such benefits would also be relatively small and outweighed by the significant harm.
17. The proposal would result in the reuse of a site on which a garage has been constructed, and that the submitted evidence indicates that the site is currently unused. I also note that the evidence before me also indicates that suitable living conditions for the future occupiers of the development could be secured. However, given that I have found harm arising from the form of development proposed, I do not consider that these points outweigh my previous conclusions.
18. I note concerns raised by the appellant that the site has been, in the past, the subject of anti-social behaviour. As I do not appear to have any evidence before me regarding the frequency of such behaviour, I therefore do not find that it offsets the significant harm arising from the development.
19. I also acknowledge that the appellant has engaged with the Council by obtaining pre-application advice. However, in considering this appeal I have limited my considerations to the planning matters before me.

Conclusion

20. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR