



Appeal Decision

Site visit made on 7 July 2020

by Kenneth Stone BSC Hons DipTP MRTPI

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

Decision date: 13 July 2020

Appeal Ref: APP/B1930/W/20/3245741

47 & 49 Mayflower Road, St Albans, Hertfordshire AL2 2QN

- 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 District & Circle Ltd against the decision of St Albans City & District Council.
 - The application Ref 5/19/2036, dated 5 August 2019, was refused by notice dated 12 December 2019.
 - The development proposed is described as the 'demolition of No's 47 & 49 Mayflower Road and the construction of a 4 No. x four bed semi-detached dwellings and 2 no. x four bed detached bungalows, with new access and associated parking and landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the street scene of Mayflower Road and the character and appearance of the surrounding area.

Reasons

3. Mayflower Road is predominantly characterised by detached and semi-detached properties fronting on to the road with reasonably consistent set backs. There is significant variation in architectural styles and variety in bungalow and two storey properties integrated into the street scene. There is little in terms of a coherent pattern as such and an eclectic mix of property styles and forms contributes to the character of the area. In this scene whilst a domestic scale predominates there is variation in form shape and size of properties. To the rear of the appeal site, off Grovelands Road and Spruce Way, there is a more dense urban form with maisonette blocks and closely spaced terraced and semi-detached units. The land generally falls from around the appeal site down towards the junction with Grovelands Road and towards the rear, to the properties in Spruce Way behind.
4. The appeal scheme would result in the demolition of 47 and 49 Mayflower Road, which are two modest bungalows; replacing these with six new dwellings (two bungalows and four semi-detached houses). The semi-detached houses would be arranged in two pairs towards the front of the site and sit well forward of the adjoining bungalow 45 and the adjoining semi-detached pair at 51/53. The new semi-detached houses would be sited on rising ground towards

the crest of the change in levels, the forward position and rising ground would accentuate and emphasise the scale, bulk and mass of these additions to the street scene. Given the location this would result in the properties holding a particularly dominant and intrusive position in the street scene.

5. Whilst there are variations in terms of the relationship of properties to one another and the road frontage there is a relatively consistent building line identifiable along this side of Mayflower Road and the proposed properties are, in my view, well forward of that. The fact that there are examples of visible flank walls given the relationships between bungalows and two storey properties does not detract from this intrusive and dominant siting. Similarly, on the opposite side of the road although the properties are angled towards the road frontage in a chevron style arrangement there is a coherent building line and none that sit so far forward of that as to appear out of keeping or excessively intrusive.
6. I accept that the proposed properties are generally two storey semi-detached houses with design features and a scale and bulk that does not make them out of the ordinary and provides a domestic scale. However, it is not that detail that creates the issue rather the siting and layout of the development and their forward position. Moreover, whilst there are variations in terms of character areas in the surrounding area, in terms of density and layout, these are not matters which are readily visible in the same context as the street scene of Mayflower Road and do not reduce the adverse impact resultant from the inappropriate siting of the appeal properties. Neither can these fundamental concerns regarding layout be addressed by landscaping given the prominence of the properties.
7. For the reasons given above I conclude on this main issue that the proposed development would result in material harm to the street scene of Mayflower and the character and appearance of the surrounding area. Consequently it would conflict with policies 69 and 70 of the St Albans District Local Plan Review 1994 (Local Plan) and the National Planning Policy Framework (the Framework) which collectively seek to ensure high quality development that respects the character and quality of an area having regard to good quality layout.

Other matters

5 Year Housing land supply

8. The Council accept that it cannot demonstrate a 5 year housing land supply and suggest it would be in the region of 2.2 years. This is a significant shortfall and development to address the shortfall would be a benefit of the scheme. The lack of the 5 year housing land supply however would not mean that policies 69 and 70 in the Local Plan are out of date as these are consistent with the Framework. However, policies for the provision of housing and the broader strategy would be out of date given the lack of a 5 year housing land supply.

Benefits of scheme

9. The scheme would result in economic benefits during construction and future occupation but given the limited number of units involved this benefit would be limited.

10. Compliance with other policy requirements and technical standards are not benefits of the scheme but are necessary requirements of any scheme and are therefore neutral factors.

Impact on surrounding neighbours

11. The Council reviewed the internal and external relationships between the built forms and surrounding properties and did not object on these grounds. From what I viewed on site, whilst there were some minor deficiencies identified in the proposed scheme, as presented there would be, on the whole, sufficient separation to ensure adequate privacy and amenity would be retained or protected and with the retention of existing landscaping and conditions to require additional landscaping such matters would not result in material harm.

Planning balance and overall conclusions

12. The 'tilted balance' under paragraph 11 of the Framework is engaged given the Council's land supply position. In this case this requires that permission is granted unless 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. The provision of additional housing is an undoubted benefit in the absence of a 5 year housing land supply however this is only 4 additional housing units and therefore I attach this moderate weight. There would be some economic benefits but again given the limited scale of the development these are limited. The fact that the development does not result in other harms and meets other guidelines is not a benefit of the scheme and so is a neutral factor. Overall, I am satisfied that the harm that arises to the street scene and character and appearance of the area would significantly and demonstrably outweigh the benefits that would derive from this scheme.
13. I am required to determine the development in accordance with the development plan unless material considerations indicate otherwise. I have concluded the harm to the street scene and character and appearance of the area would conflict with the development plan and I further conclude that there are no material considerations that indicate a decision otherwise would be appropriate.
14. For the reasons given above I conclude that the appeal should be dismissed.

Kenneth Stone

INSPECTOR