
Appeal Decision

Site visit made on 7 July 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th July 2020

Appeal Ref: APP/X1925/W/20/3244746

14 Waterdell Lane, St Ippolyts, Hitchin, Hertfordshire SG4 7RB

- 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 Mrs Walsh against the decision of North Hertfordshire District Council.
 - The application Ref 19/01555/FP, dated 26 June 2019, was refused by notice dated 16 August 2019.
 - The development proposed is a new build 1 bedroom bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site currently comprises parking and part of the large garden to the front of 14 Waterdell Lane, a semi-detached dwelling at the junction of Waterdell Lane with The Crescent. Near to the site, the northern side of Waterdell Lane and The Crescent are characterised by semi-detached and terraced dwellings with similar external materials and designs incorporating front gables and first-floor dormers. There is a little more diversity to the south of Waterdell Lane, but dwellings are predominantly two-storey, semi-detached pairs with similar forms and brick finishes.
4. Buildings on both Waterdell Lane and The Crescent are typically arranged behind deep frontages which accommodate parking or soft landscaping. The set back of dwellings from the street is not uniform, but differences in the positions of adjacent buildings are generally fairly small resulting in a gently curving building line. Likewise, the angled orientation of No 14 and the attached dwelling at 12 Waterdell Lane provides for a gradual transition between dwellings to the rear of the site on The Crescent, and those fronting Waterdell Lane to the east. Along with the common designs of the buildings, these factors give the street scenes an attractive rhythm and sense of unity which is further enhanced by the distinctly spacious character deriving from the generous spacing between and to the front of buildings.
5. The proposed dwelling would be on a similar building line and angle to the dwellings at 10 and 16 Waterdell Lane, but it would be positioned entirely

- forward of No 14. It would also be set much closer to the boundary of the site with The Crescent than 19 The Crescent to the north. It would therefore be a prominent and intrusive interruption to the existing building line and the current visual connection between Waterdell Lane and The Crescent around this junction. I acknowledge that 16 Waterdell Lane is also set forward of No 14, but The Crescent provides separation to this neighbour and the dwelling would be more generally seen against the backdrop of 14 Waterdell Lane and 19 The Crescent. In this context it would be a conspicuous and incongruous feature, unrelated to the street scenes of either Waterdell Lane or The Crescent.
6. The uncharacteristic nature of the development would be further exacerbated by the small scale and single-storey design of the dwelling. I recognise that there are a few single-storey buildings on Waterdell Lane, but the examples I saw were larger than the dwelling now proposed. Moreover, they do not form part of the immediate context of the appeal site where buildings are generally two-storey with much larger footprints than the proposed dwelling. The small size of the plot and the siting of the dwelling close to its boundaries, and in particular the boundary with The Crescent, would further cause the development to appear cramped and out of keeping with the more spacious setting of dwellings around the site.
 7. Although there is some vegetation to the boundaries of the site which the appellant indicates would be retained, screening of the development would not be complete, and the dwelling would be apparent and would stand out against nearby dwellings on this part of Waterdell Lane and The Crescent.
 8. There is a single-storey outbuilding to the side of No 16 set close to the boundary with The Crescent, but this has the clear appearance of an ancillary structure within the curtilage of No 16. It is therefore distinct from the appeal proposal for an additional dwelling which would be separate from No 14. The appellant has also referred to permission granted recently for the erection of a dwelling at 1 The Crescent¹. I do not have full details of this scheme, or the circumstances which led to it being accepted, but note that the dwelling was proposed in place of an existing garage which I saw is set back from The Crescent and London Road. It does not therefore represent a direct parallel to the appeal before me which I have in any case considered on its own merits.
 9. For these reasons, the development would be a prominent and intrusive feature and would result in unacceptable harm to the character and appearance of the area. It would therefore be contrary to Saved Policy 57 of the North Hertfordshire District Local Plan No.2 with Alterations 1996 (NHDLP) which outlines that development should relate to and enhance its site and surroundings and the area's character. For similar reasons, there would be conflict with Policy D1 of the Emerging North Hertfordshire Local Plan 2011-2031, but as the plan is yet to be adopted it is subject to change, and I do not know whether there are unresolved objections to this Policy. With regard to paragraph 48 of the National Planning Policy Framework (the Framework), I therefore afford less weight to the conflict with this policy.

Other Matters

10. The appeal site is within the Green Belt. However, the main parties agree that the proposal would comprise limited infilling within a village and would be an

¹ Application reference 20/00409/FP

exception to inappropriate development in the Green Belt in accordance with paragraph 145 of the Framework. From the evidence before me, I have no reason to reach an alternative conclusion.

11. The Council has not challenged the appellant's assertion that it cannot demonstrate a 5 year housing land supply (5YHLS). I have not been provided with details of the extent of the shortfall, but the Framework therefore advises that the policies most important for determining the application are considered to be out of date. In these circumstances, paragraph 11 of the Framework outlines that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
12. The Framework identifies a need to significantly boost the supply of housing. The proposal would make effective use of the site, and would provide a small dwelling which would contribute to the supply of housing within the village which the appellant advises has been identified as a Category A village where development will be allowed within defined settlement boundaries. There would also be some economic benefits of the proposal, through construction activity and additional spending in the local economy.
13. However, the small scale of the development limits the contribution to the supply of housing and the extent of these benefits, and I give them moderate weight in the planning balance as a result. Against this, there would be conflict with the Framework which highlights the importance of well-designed places and requires that development should be sympathetic to local character. I attach significant weight to the harm that would arise in this respect. The absence of identified harm to the living conditions of neighbouring or future occupiers or to highway safety, and that interested parties and consultees have not objected to the development are neutral factors and weigh neither for nor against the proposal.
14. Overall, I find that the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The proposal would not therefore benefit from the presumption in favour of sustainable development set out at paragraph 11(d) of the Framework.
15. The proposal would conflict with the development plan when it is read as a whole and there are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR