
Appeal Decision

Site visit made on 3 August 2020

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 August 2020

Appeal Ref: APP/B1930/W/20/3251640

Rear of 201 Hatfield Road, St Albans AL1 4LJ

- 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 Konesh Sridaran against the decision of St Albans City & District Council.
 - The application Ref 5/19/3109, dated 24 January 2020, was refused by notice dated 10 March 2020.
 - The development proposed is erection of building comprising 3 flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of proposed development from the planning application form although I note it is expressed differently on other documents.

Main Issues

3. The main issues raised by this appeal are the effect of the proposed development upon the character and appearance of the area and the living conditions of future occupiers.

Reasons

Character and appearance

4. The proposed development would be situated close behind 201 Hatfield Road and front onto Woodstock Road South. The residential properties along the eastern side of Woodstock Road South are two-storey semi-detached properties set back from the highway behind small front gardens. To the west side of Woodstock Road South is a school. Between the school and 201 Hatfield Road is the existing single storey garage within the appeal site, otherwise there is little in the way of the built development and this gives this side of Woodstock Road South an open spacious appearance. The existing garage is of utilitarian appearance, however it is single storey and does not have a significant visual presence within the Woodstock Road South street scene.
5. The proposed building would be positioned in close proximity to 201 Hatfield Road and would be taller than that existing property. It would also be taller and wider than the residential properties along the east side of Woodstock

- Road South. As such, it would appear as a much larger building when compared to that of existing development close by. The proposed development would appear as a large and conspicuous development in the context of the spacious Woodstock Road South street scene. This would be particularly so in southerly views along Woodstock Road South where the height and depth of the development would be markedly apparent in public views.
6. Further to the above, the proposal would be constructed close to the northern boundary and the building would occupy most of the width of the plot leaving a small gap between it and the southern boundary of the site. This would create a development of constrained appearance within its plot. I observed that the semi-detached properties opposite occupy the width of their plots. Nonetheless, the nature of the street scene on the west side of Woodstock Road South is very different and this requires the proposal to be considered on its own merit in terms of the appearance of the property within the plot. I note that the Council previously permitted a two-storey dwelling at the appeal site tight to the side boundary, albeit that was some time ago and that permission is no longer extant. Nonetheless, the cramped appearance of the proposal adds to my concerns that the development would be visually harmful within the Woodstock Road South street scene.
 7. Taking these matters collectively the proposed development would not relate well to the Woodstock Road South street scene. Consequently, the proposed development would be visually harmful for this reason.
 8. I acknowledge that the development would be set back from the highway and this would reflect that of the semi-detached properties opposite. It is of 2.5 storey design incorporating small roof dormers, bay windows, front canopies, which are characteristic of the locality. Nonetheless, these matters do not overcome my concerns in relating to the overall height, size and cramped appearance of the proposal.
 9. I observed that properties in Woodstock Road South and Royal Road have substantial second floor extensions. However, these mainly relate to the rear of buildings as indeed the photographs provided by the appellant show. These examples would not justify permitting road frontage development that would be of an unacceptable visual height and scale. The side elevation of 203 Hatfield Road hosts a three-storey gable running alongside Woodstock Road South. In terms of the street scene this is a rather unfortunate feature and its visual appearance would not offer support for tall development elsewhere along Woodstock Road South.
 10. For the above reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would, therefore, conflict with Policies 69 and 70 of the St Albans District Local Plan (the Local Plan) 1994, that seek, amongst, other matters, development to be of a high standard of design and to be in character with the context of its surroundings.

Living conditions

11. The Council advises that in accordance with its Design Advice Leaflet No.1 pursuant to Policy 70 of the Local Plan 70m² of outdoor space should be provided at the appeal site for the use and enjoyment of its future residents. The Council comments that the outdoor space would fall short offering only

40m² for its future occupiers. The appellant contends this and argues that a total area of 71m² outdoor space would be provided within the site when excluding those areas that relate to bike and refuse storage facilities. I note that 71m² of communal outdoor space is annotated on the proposed site plan that supports the proposed scheme. The Council has not set out how it arrived at its 40m² size calculation or challenged the figure annotated on the plan. On the evidence available to me I find that the proposal should be considered having regard to the information provided upon the proposed plans. I, therefore, conclude the proposal would not significantly conflict with Policy 70 of the Local Plan and associated Design Advice Leaflet No.1 in this case.

Other matters

12. At the heart of the National Planning Policy Framework (the Framework) is the presumption in favour of sustainable development. However, the Council does not currently have a five year of deliverable housing sites in place. Consequently, Paragraph 11d) of the Framework is triggered and planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal.
13. The development would provide benefits in terms of delivering an additional three homes that would make a minor contribution to local housing supply and would re-use the site. I acknowledge that the appeal site would represent a sustainable location in regard to accessibility to local public transport connections, shops and services. New homes would bring about minor social benefits, as would construction works have minor short-term economic benefits. Nevertheless, I have found that the proposal would be harmful to the character and appearance of the area. I, therefore, conclude that the adverse impacts would significantly and demonstrably outweigh the minor benefits provided by the scheme when considered against development plan policies and the Framework when read as a whole. Consequently, the presumption in favour of sustainable development does not apply in this case.

Conclusion

14. Whilst I have found in favour of the appellant in terms of the effect on the living conditions of future occupiers, this does not overcome the identified harm in relation to the character and appearance of the area.
15. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR