
Appeal Decision

Site visit made on 19 August 2020

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th September 2020

Appeal Ref: APP/A1910/W/20/3251892

16 Hempstead Road, Kings Langley WD4 8AD

- 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 Tony Harrison (Finley Harrison Ltd) against the decision of Dacorum Borough Council.
 - The application Ref 4/02222/19/FUL, dated 13 September 2019, was refused by notice dated 13 March 2020.
 - The development proposed is Demolition of existing building and construction of 7 flats in two buildings with undercroft parking provision for 9 cars and landscaping. (Amended Scheme).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application form states the proposal is for a small development (eight units) including demolition of the existing residential building at No 16 Hempstead Road. However, the scheme was amended to a scheme including seven flats in two buildings and that is the scheme the Council made its decision on. For the avoidance of doubt, I have made my determination on the amended proposal. I have therefore taken the description from the Council's decision notice as this accurately describes the scheme. I am satisfied that no party has been prejudiced by my approach.

Main Issue

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

Reasons

4. The appeal proposal would involve the replacement of a dwelling in a long and narrow plot with seven flats in two buildings. The first (Building 1) would be positioned close to the main Hempstead Road, the second (Building 2) would be next to No 18 Hempstead Road (No 18) at the end of a row of dwellings set back from the main Hempstead Road behind mature landscaping in a linear cul-de-sac arrangement.
 5. The main Hempstead Road nearby accommodates dwellings and commercial buildings of a variety of styles giving it a mixed character and appearance. In contrast the cul-de-sac is characterised by detached dwellings of similar
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appearance, with spaces between them (particularly above single storey garages) and set back from the road. Even though some of the properties have been substantially extended the cul-de-sac retains a relatively uniform, spacious and verdant character and appearance.

6. I acknowledge the scheme was recommended for approval by the Council's Officers. I note the Council's Design Officer found the scheme acceptable and positive pre application advice was received. However, even though the scheme has been reduced in scale and density and would be finished in materials matching those used nearby it would replace a relatively modest dwelling with two relatively large buildings.
7. When viewed from the main Hempstead Road the proposal would be softened by the mature landscaping in front of the cul-de-sac and would not appear out of scale or place blending in with the varied character and appearance of the area.
8. However, when viewed from the cul-de-sac, Building 2, whilst similar in height and depth to No 18, would be of contrasting form and appearance and positioned directly adjacent to it. Building 2 would almost fill the full width of the plot and Building 1 would be taller, deeper and closer to the cul-de-sac head than the existing dwelling it would replace leaving only a small space between the two proposed buildings.
9. I accept the appeal site is currently of a relatively poor appearance and the side elevation of the existing house is a prominent feature of the cul-de-sac street scene. However, through the scale of the proposed buildings and the lack of space around them, the proposed development would dominate the head of the cul-de-sac and appear cramped eroding the spacious characteristic of the area.
10. In reaching these conclusions I note the National Planning Policy Framework (the Framework) promotes an effective use of land in meeting the need for homes and other uses making as much use as possible of previously developed land. Furthermore, the Framework is clear in that small and medium sized sites can make an important contribution to meeting the housing requirements of an area and decisions should ensure that developments make optimal use of the potential of each site.
11. I note Policy CS10 of the Dacorum Core Strategy 2006-2031 (2013) (CS) seeks higher densities of development in locations such as the appeal site. I also note saved Policies 10 and 21 of the Dacorum Borough Local Plan 1991-2011 (2004) seek to optimise the use of land, ensure an efficient use of land and say that higher densities will be encouraged in such locations.
12. However, even if I were to find the density of the development to accord with the development plan policies, this does not justify a development which I find would harm the relatively uniform, spacious and verdant character and appearance of the cul-de-sac. Consequently, on balance the scheme is contrary to the good design aims of the Framework and in conflict with the development plan, particularly Policies CS10, CS11 and CS12 of the CS which taken together overall seek to ensure good design.

Other Matters

13. I note the Council granted planning permission for a development including 55 homes in the Green Belt nearby¹. However, I have determined the appeal on its merits and the full circumstances of that case are not before me. I also note the appeal proposal is in a location where services and employment can be easily accessed by a range of transport choices. However, the Council do not object to the principle of development in this location and these matters or any other raised do not outweigh the harm I have identified.

Conclusion

14. Thus, for the reasons set out above and with regard to all other matters raised I conclude that, on balance the appeal would not accord with the development plan and the appeal should therefore be dismissed.

L Fleming

INSPECTOR

¹ Council Reference 4/02282/18/MOA