



Appeal Decision

Site visit made on 23 November 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2020

Appeal Ref: APP/B1930/W/20/3257904

Redclyffe, 21 Salisbury Avenue, Harpenden, AL5 2QF

- 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 Beechcroft Developments Ltd against the decision of St Albans City & District Council.
 - The application Ref 5/20/0804, dated 1 April 2020, was refused by notice dated 6 July 2020.
 - The development proposed is described as "full application for change of use from class C2 (Care Home) to Class C3 (Residential). Demolition of existing single and two storey extensions. Retention of 21 Salisbury Avenue and conversion to a single dwelling and erection of 3No. x 2.5 storey buildings to accommodate 7 retirement apartments (for people aged 55 and over), together with parking, landscaping and associated development".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's emerging Local Plan has been withdrawn from examination. Its policies consequently attract no weight in the determination of this appeal.
3. There have been two recent appeal decisions relating to the redevelopment of the appeal site to provide retirement apartments. These decisions are material considerations in the determination of this appeal, given the broadly similar nature of the developments proposed. However, each appeal must be determined on its own merits, which I have done in this case.

Main Issue

4. The main issue is whether the development proposed would preserve or enhance the character or appearance of the Harpenden Conservation Area, and its effect on the significance of the locally listed building 21 Salisbury Avenue.

Reasons

5. The appeal site is in the Harpenden Conservation Area (the CA). The significance of the CA derives from the character and relationships of the buildings therein, and their display of the evolution of Harpenden over time. Within the vicinity of the appeal site there are several examples of Victorian villas, as well as the original house at No 21, which is a locally listed building.

6. The appeal proposal involves the demolition of the substantial and unsympathetic extensions to No 21 which allowed it to be used as a care home. Three new residential blocks would be erected on the site together with the laying down of a central access road. The ridgelines to the new blocks would be set lower than that of No 21, and the design of the blocks has taken some inspiration from the character of the original house, including similar materials, roof pitches, timbered gables and dormers.
7. However, the footprint of the buildings would occupy a greater proportion of the plot than is typical in the area. While the existing extensions, garage and other structures in the grounds of the appeal site occupy a substantial footprint beyond that of No 21, a significant proportion of this site coverage is single-storey structures. The proposed blocks would each be bulky two-storey buildings with accommodation in the roof space. This would be most prominently visible from neighbouring properties on Salisbury Avenue, Roseberry Avenue and Townsend Lane that border the appeal site. The rear blocks would be significantly more prominent from neighbouring properties than the existing extensions to No 21 due to their greater height in proximity to the site boundaries.
8. While there would be separation between the front and rear blocks, this would be limited. Similar gaps exist between some neighbouring houses in the surrounding streets, but overall the local character is of spaciousness between buildings, including generally deep rear gardens allowing generous separation between facing rear elevations. The introduction of such large and bulky buildings at the rear of the site with such limited separation to the buildings at the front of the site would result in an incongruous and unsympathetic form of development in the CA.
9. The separation of the built form into four discrete blocks would allow views through from the front of the site to the rear. However, the view would be relatively narrow and along a paved driveway dominated by the buildings to either side. This would not enhance the character or appearance of the site within the street scene.
10. The appeal proposal would therefore fail to preserve or enhance the character or appearance of the CA. Having regard to the National Planning Policy Framework (the Framework) this harm would principally be experienced in the immediate vicinity of the site, both from neighbouring properties and in the street scene. The harm to the CA would therefore be less than substantial, when weighed against its significance as a whole.
11. The development proposed would deliver public benefits that must be weighed against the identified harm. The modern extensions to No 21 would be removed, and its exterior restored in line with its original character. Seven new retirement apartments would be created, and the Council has a significant shortfall in its supply of available housing land. The site is in a sustainable urban location a relatively short distance from the town centre. It is a vacant site that would be restored to use. The creation of a new building at the front of the site alongside No 21 would restore, to an extent, the historic relationship of matching buildings on neighbouring plots. The design of the development would largely screen car parking within the site, and additional planting is proposed to complement and strengthen the landscaping of the site and its immediate surroundings.

12. These benefits cumulatively carry significant weight, but in accordance with paragraph 193 of the Framework the harm to the CA that would result from the appeal proposal must be accorded great weight. In this instance, the identified public benefits would not outweigh the harm that would result from the development proposed.
13. The development proposed would also affect the locally listed building. A balanced judgment is required having regard to the scale of any harm and the significance of the heritage asset. In this instance, the introduction of 3 large buildings into the setting of the building would result in harm to its significance. However, this would be offset by the removal of the previous extensions to the building, its restoration and return to its historic use as a single dwelling. Overall, the development would have a neutral effect on the significance of the locally listed building.
14. The appeal proposal would consequently conflict with Policies 2, 4, 69, 70 and 85 of the St Albans Local Plan 1994 and Policies ESD1 and ESD2 of the Harpenden Neighbourhood Plan 2019 (the NP). Together these policies require, amongst other things, that development in a CA be of a high standard of design, that it enhances or preserves the appearance of the CA and that it be sympathetic to its surroundings and to the CA as a whole.

Other Matters

15. The Council cannot demonstrate a five year supply of housing land. However, there is identified harm to the CA that would not be outweighed by the public benefits of the development proposed. The presumption in favour of sustainable development is therefore not engaged as the application of policies in the Framework provide a clear reason for refusing the development proposed.
16. The Council has referred to Policy ESD15 of the NP in its reason for refusal and submissions. However, it is not clear how this policy is relevant to the main issue as it relates to matters of sustainability and energy efficiency. It therefore attracts limited weight in the determination of this appeal.

Conclusion

17. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR