



Appeal Decision

Site visit made on 14 December 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21ST December 2021

Appeal Ref: APP/B1930/W/21/3279576

Unit 6, 40 Coldharbour Lane, Harpenden AL5 4UN

- 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 Dor 2 Dor against the decision of St Albans City and District Council.
 - The application Ref 5/20/2465, dated 21 October 2020, was refused by notice dated 25 January 2021.
 - The development proposed is described as 'retrospective planning approval to retain external storage container in brown'.
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Decision

1. The appeal is dismissed.

Background and Procedural Matters

2. The container is already in place, and as such planning permission is sought retrospectively. I have dealt with the appeal on that basis.
3. A previous appeal for a container on the same site was dismissed last year (Ref: APP/B1930/W/20/3246413) ('previous appeal'). Compared to the previous appeal, this scheme differs only insofar as the container was blue, whereas it is now painted brown.
4. Since the Council issued its decision, the National Planning Policy Framework 2021 ('Framework') has been published. However, having regard to the main issue in this appeal, its stance at paragraph 130 is the same as in paragraph 127 of the now superseded 2019 version of that document.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the area.

Reasons

Character and appearance

6. There are a mix of commercial premises along this stretch of Coldharbour Lane. Nearby buildings, which are mostly two storeys high and with shallow pitched or flat roofs, are set back from the highway, often behind forecourts. This, together with the buildings' elevational treatment, which often comprises brickwork and some metal cladding at first floor, gives the area a cohesive character and appearance.

7. The container is prominently positioned, forward of the host property and the general building line, close to the highway, and opposite the junction with Ox Lane. I have no reason to disagree with the Inspector in the previous appeal that, in this location, it looks cramped beside the existing unit and parked vehicles, and that it has a harsh, functional and prefabricated appearance which is harmfully at odds with the area's prevailing character.
8. The container's brown colouration does, to a limited degree, reduce the extent to which it draws the eye compared to the previous appeal, but does not overcome the harm caused as a result of its inappropriate form, siting and functional appearance.
9. For the above reasons, I conclude that the container has a harmful effect on the character and appearance of the area. The development is therefore contrary to Policy 69 of the City and District of St Albans District Local Plan Review (1994), Policy ESD1 of the Harpenden Neighbourhood Plan 2018-2033 (2019), and paragraph 130 of the Framework. These require, amongst other things, that development is high quality, visually attractive, and compatible or sympathetic with the character and appearance of its surroundings.

Other Matters

10. The appellant states that, as no other storage space is available, the container is desperately needed by the company for a temporary period until October 2022, when there is a break clause in the lease and it can be removed. However, whilst I observed that this site is tightly constrained, as in the previous appeal, I have not been provided with evidence that the container is the only means by which the company's needs can be met.

Conclusion

11. Notwithstanding the container's different colour, I have no reason to disagree with the Inspector's conclusion in the previous appeal that the benefits to the appellant company of granting permission, even for a temporary period, do not outweigh the harm that the scheme causes to the character and appearance of the area.
12. The scheme conflicts with the development plan when considered as a whole. Consequently, having regard to all other matters raised, including representations by interested parties, the appeal is dismissed.

Chris Couper

INSPECTOR