
Appeal Decision

Site visit made on 5 April 2022

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 May 2022

Appeal Ref: APP/B1930/W/21/3285423

12 Pondwick Road, Harpenden AL5 2HG

- 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 and Mrs Howells against the decision of St Albans City & District Council.
 - The application Ref 5/21/2141, dated 27 July 2021, was refused by notice dated 07 October 2021.
 - The development proposed is demolition of existing dwelling and replacement with new Passivhaus dwelling and associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area; and
 - highway safety.

Reasons

Character and Appearance

3. The appeal site is a corner plot located within an established residential area, adjoining Claygate Avenue to the north and Pondwick Road to the west. The site adjoins the side boundary of 10 Pondwick Road to the south and the rear boundary of 6 Alders Edge to the east. The existing dwelling at no 12 is two-storey, with a main pitched roof that has gable ends to its flanks and a smaller projecting gable to the front of the dwelling, facing Pondwick Road. Existing external materials include red brick, timber and stone cladding, with a pantile main roof. Whilst there is some variation in the design of dwellings within the surrounding area, the existing dwelling is reflective of the predominant design features, scale and architectural forms of the surrounding street scene.
4. Surrounding dwellings are generally arranged in cohesive groupings, set back from the highway behind relatively open front gardens and parking areas. Incidental areas of landscaping and public open space are characteristic of the surrounding area, including a triangular public landscaped area to the west of the site and a narrow strip of incidental landscaping along the Claygate Avenue boundary of the site. As a corner plot, the site is prominent in views from both

Claygate Avenue and Pondwick Road. The set-back and set-down position of the existing dwelling from Claygate Avenue, in combination with the intervening landscaping, ensures that the site makes a positive contribution to the spacious and verdant character of the area.

5. The proposal would involve the demolition of the existing dwelling and the construction of a dwelling that is intentionally contemporary in design and appearance. The built form of the dwelling, with a split roof design, would be significantly different to the dwellings typically found in the street scene in the surrounding parts of Pondwick Road and Claygate Avenue.
6. I am mindful that the National Planning Policy Framework (the Framework) advises against discouraging appropriate innovation and change. However, the Framework also sets out that it is proper to seek development that is sympathetic to local character and that establishes and maintains a sense of place. Whilst I find the proposed dwelling to be of architectural merit, its scale and bold contemporary design, when combined with its positioning close to the boundary with Claygate Avenue, would be unduly prominent and incongruous within a street scene characterised by dwellings of more uniform ilk and construction. The stepping back and low eaves of the main house would be insufficient to mitigate the visual harm, and the loss of landscaping to the side of the existing dwelling would further harm the spacious and verdant character of the area.
7. I have had regard to the other examples of more contemporary design granted permission by the Council within the surrounding area. Those other examples, including at 2 Barns Dene and 11 Claygate Avenue are not, however, within the immediate street scene of the appeal site and they related to significantly different proposals. As such, the circumstances in which those other developments were granted permission are not directly comparable with the appeal proposal. I afford them, therefore, limited weight as comparative examples in this case.
8. Accordingly, the development would have a harmful effect on the character and appearance of the area. It would, therefore, conflict with saved Policies 69 and 70 of the St Albans District Local Plan Review 1994 (LPR) and Policies ESD1 and ESD2 of the Harpenden Neighbourhood Plan 2019 (HNP), which together, amongst other things, requires high quality design that has regard to its setting and to the character of its surroundings. Moreover, the development would be inconsistent with paragraph 130 of the Framework as it would not add to the overall quality of the area and would not be sympathetic to the local character.

Highways Safety

9. The proposal includes the repositioning further north of the vehicular crossover from the site onto Pondwick Road. As a result, the proposed vehicular access would be located closer to the junction of Pondwick Road and Claygate Avenue. This would inevitably lead to reduced intervisibility between vehicles turning south onto Pondwick Road (from the east) and vehicles using the proposed access to the site.
10. No detailed evidence regarding visibility splays and existing vehicular speeds on Pondwick Road have been provided. The visibility splay for the new access would, however, be significantly below the sight stopping distance recommended by Manual for Streets on a highway with a 30 mph speed limit.

11. Whilst I accept that vehicular speeds at the access are unlikely to be at the speed limit due to the curved road alignment, in the absence of any substantive evidence regarding vehicular speeds on Pondwick Road, I find that the reduced visibility of the proposed access would result in an unacceptable impact on highway safety.
12. Although there are examples of other vehicular crossovers with limited visibility in the surrounding area, as I have found that the proposal would harm highway safety, the existence of other examples does not lessen that harm. The development would therefore be contrary to LPR Policy 34 and paragraph 111 of the Framework, which taken together require development to have no unacceptable impact on highway safety.

Planning Balance

13. I acknowledge that the proposed dwelling would be highly energy efficient and is supported by both local and national planning policy in this regard. Any reduction in energy use and emissions would need to be weighed against the embodied carbon implications of replacing an existing dwelling. I have no substantive evidence in this regard and can therefore give only limited weight to the environmental benefits of the proposal.
14. The harm to the character and appearance of the area and to highway safety would be significant. In the context of paragraph 11(d) of the Framework, I find that the adverse impacts of the development would significantly and demonstrably outweigh the limited benefits of the proposal when assessed against the policies in the Framework taken as a whole.

Conclusion

15. The proposal would conflict with the development plan when read as a whole, and material considerations, including the Framework, do not indicate that a decision contrary to the development plan should be reached.
16. As such, for the reasons given above, the appeal is dismissed.

S D Castle

INSPECTOR