



Appeal Decision

Site visit made on 3 August 2022

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th September 2022

Appeal Ref: APP/B1930/W/21/3286538

6 Highfield Road, Sandridge AL4 9BU

- 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 S Cassidy against the decision of St Albans City and District Council.
 - The application Ref 5/21/1682, dated 5 June 2021, was refused by notice dated 7 October 2021.
 - The development proposed is described on the application form as 'Proposed demolition of No 6 bungalow. Proposed new bungalow at No 6. New boundaries to No 6a. New access road. New detached property and parking to the rear of No 6 and 6A'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice does not refer to any local or national planning policies which it alleges the proposed development would conflict with. However, the Council's Statement of Case does. Moreover, the Officer Report also includes details of the relevant policies against which the Council's decision was made. The appellant has had the opportunity to comment on this matter and would not be prejudiced by it. I have therefore determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the site and surrounding area, with particular regard to the proposed new dwelling.

Reasons

4. The appeal site comprises two detached bungalows. No 6 Highfield Road is set within a relatively large garden plot which includes a series of domestic outbuildings. The adjoining 6A Highfield Road is set within a smaller garden plot, which also includes a series of domestic outbuildings within the rear garden.
5. Properties surrounding the site are of a varied scale and design, some forming bungalows and others two-storey properties. Many appear to have been extended over time, some substantially so. However, there is an overall sense of coherence within Highfield Road through the alignment of properties along the highway, set back behind front gardens and driveways. Rear gardens vary in size but are typically large and enclosed by mature landscaping.

6. The proposed development includes the erection of a new dwelling to the rear of No 6. This is in addition to the replacement of No 6 itself and various other works, none of which are in dispute between the main parties. The new property to the rear would span much of the width of both Nos 6 and 6A, noting a gap of approximately 2 metres would exist with the boundaries on either side. A vehicular access would be created between the two properties, connecting the site to Highfield Road.
7. The proposed new dwelling would not be readily visible from much of Highfield Road given its set back position and height. From that perspective, it would have little appreciable effect on the street scene.
8. Nevertheless, the proposed dwelling would be highly visible from neighbouring properties and gardens and glimpsed views from Highfield Road would likely be obtained between properties, including from the proposed site access. Whilst the height of the new dwelling would be set below that of Nos 6 and 6A and would have a hipped roof, it would remain visually dominant in relation to those and neighbouring properties, sprawling across the large plot and appearing significantly larger than established dwellings fronting Highfield Road in terms of its overall plot coverage, bulk and massing. It would be discordant and out of keeping with the established pattern and rhythm of development in this part of Highfield Road.
9. I am aware of neighbouring properties, 98 and 98A High Street, which adjoin the site. These, built to the rear of more historic properties, do not reflect the prevailing pattern of development within Highfield Road. However, I do not have the full details of those developments before me, including their planning history. Nevertheless, the vehicular access to those properties is via High Street, which is a common feature there, unlike at Highfield Road. From that perspective, the sites cannot be described as directly comparable. In any case, the existence of properties on the adjacent site is not reason to automatically allow development at the appeal site which, in my view, fails to respond to its setting.
10. I note the appellant's efforts to amend the scheme since a previously refused application at the same site¹. This has included the reduction of the ridge and eaves height of the proposed property, together with the removal of dormer windows, garage and other features. Nevertheless, I remain of the view that the overall scale and bulk of the proposed development would be out of keeping with the prevailing character of the surrounding area.
11. For the reasons above, I conclude that the proposed development would harm, significantly, the character and appearance of the site and surrounding area, contrary to the relevant provisions of Policies 69 and 70 of the St Albans District Local Plan Review (1994). This is in a similar vein to the objectives of the National Planning Policy Framework (the Framework) insofar as good design is concerned.
12. Although the Council does not allege a conflict with Policy D4 of the Sandridge Neighbourhood Plan, my attention has been drawn to the policy and its requirement that development reflects distinctive local characteristics and the scale and height of existing development with the surrounding area. On the

¹ Application reference 5/2021/0582

basis of my findings above, I find that the proposed development would also conflict with this policy.

Planning Balance

13. The submitted evidence indicates that the Council cannot demonstrate a five-year housing land supply. As such, and noting the Government's objective of significantly boosting the supply of homes, the provisions of Framework paragraph 11.d are engaged. This sets out that where the policies which are most important for determining the application are out of date, permission should be granted unless (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
14. Following assessment, there are no policies in the Framework relevant to the site which protect areas or assets of particular importance, and which provide a clear reason for refusal. As such, it is necessary to apply Framework paragraph 11.d(ii).
15. The proposed development would represent a contribution of one extra dwelling to housing supply in an area with an acknowledged lack of future provision. There, too, would be some other social and economic benefits of the proposed development, including in supporting employment during construction and the bringing of trade to nearby services and facilities. I note that the site is also located in an accessible position near to various local services, facilities and employment. However, although I give significant weight to these, the benefits and the contribution to housing supply in the district would inevitably be limited given the scale and nature of the development proposed. Accordingly, and given the significant harm I have identified above, the adverse effects of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
16. I note the appellant's comments in respect of this being an infill, windfall scheme, making efficient use of the site and the lack of alleged harm to neighbours' living conditions. Nevertheless, neither of these matters nor the benefits associated with the scheme change my conclusion on the main issue or outweigh the harm I have identified and the conflict with the development plan. The proposal's accordance with various other local policies and Framework provisions, and the Council indicating that the proposal is acceptable in principle also do not lead me to a different conclusion.

Other Matters

17. My attention is drawn to 52 Oaklands Lane, in respect of the Council's consideration of infill development in the Green Belt. In addition, I note the appellant's reference to the Framework's Green Belt policy in respect of inappropriate development and openness. Whilst this is noted, Green Belt matters are not in dispute between the main parties. In any case, that property is located within a different locational context. From that perspective, the schemes are not directly comparable.

18. I am aware of the planning permission ref 5/2021/3326 at the same site. I do not have the full details of that case before me and in any case have considered the proposed development on the evidence before me and my site observations.

Conclusion

19. For the reasons above and having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

A Price

INSPECTOR