



Appeal Decision

Site visit made on 22 August 2022

by C Harding BA(Hons) PGDipTRP PGCert MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd October 2022

Appeal Ref: APP/B1930/W/21/3285716

80 Meadway, Harpenden AL5 1JQ

- 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 Ling against the decision of St Albans City Council.
 - The application Ref 5/2021/0640, dated 5 March 2021, was refused by notice dated 16 June 2021.
 - The development proposed is conversion of existing detached dwelling into two dwellings following subdivision of plot, single storey rear and side extension with rooflights, first floor side extension and raising of ridge height to facilitate loft conversion to habitable accommodation with rear dormers, insertion of front rooflights and alterations to openings, new front canopies and associated landscaping works
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development from the Council's decision notice and the appellant on their appeal form. It adequately and simply describes the proposed development, instead of the much longer description given on the application form.

Main Issue

3. The main issues are;
 - the effect of the proposal upon the character and appearance of the area, and;
 - the effect of the proposal upon the living conditions of occupiers of neighbouring properties in terms of outlook.

Reasons

Character and Appearance

4. The appeal site comprises a detached dwelling located on a street of predominantly detached properties. The wide footways and verge, and properties set back behind front gardens or parking areas creates a generally open aspect. There are a variety of architectural styles evident in the area, with properties of different ages, and in some cases heavily altered or modernised. Most, including the existing dwelling at the appeal site, exhibit gable or fully hipped roofs. Where properties are larger, they generally also include articulation to front elevations and rooflines, and where present, subservient

side extensions. Together these design approaches provide visual relief to these larger properties.

5. The existing dwelling at the appeal site is one of the larger properties within the immediate area and incorporates some of these design features. However, the proposal would increase the scale of the existing side garage projection, raising it in height. It would incorporate a single roof structure spanning the entire building at increased height than at present, with a half-hipped design. This would not only increase the size of the overall structure, but also lead to the loss of the subservient side projection and articulated roof design, accentuating the overall scale of the building as a result.
6. Although the building would not exceed the height of the neighbouring property at 82 Meadway, it would nevertheless appear as an unacceptably large and bulky structure, at odds with other residential properties within the street.
7. The sub-division of the property would also leave the front elevation without a coherent character, with two front entrances but no clear point of sub-division. This lack of legibility would serve to draw the eye to the overall scale and mass of the building as a whole, and further erode the character and appearance of the local area as a result.
8. The proposed rear extension and rear dormer windows, although large in scale, would not be widely visible and would not therefore contribute to the harm that I have identified, however this is only a neutral factor.
9. Nevertheless, with regards to this main issue, the proposal would lead to harm to the character and appearance of the local area. It would therefore be contrary to Saved Policies 69, 70 and 72 of the St Albans District Local Plan Review (SADLP) adopted 1994, and the National Planning Policy Framework (the Framework) which together seek to ensure that development has a high standard of design which takes into account the scale and character of surroundings, and that residential extensions are compatible with the original building in terms of architectural style and roof design.

Living Conditions

10. I was able to view on my site visit the change in levels between the appeal and neighbouring properties, which occurs naturally due to the rising nature of the street, with 78 Meadway sitting a lower level than the appeal site, and No 82 located at a higher level.
11. The proposal would lead to an increased level of development to the rear of the existing building at the appeal site. However, the rear garden is sufficiently large to accommodate such development and the natural curve of the road means that both 78 and 82 are angled slightly away from the appeal site.
12. Built development at the appeal site would be situated closer to, and project further along the shared boundaries. These would, however, be single storey structures. Given the orientation of the properties, the size of rear gardens and the level of mature planting on the shared boundaries, it is unlikely that these elements of the proposal would lead to unacceptable loss of outlook.
13. With regards to this main issue, the proposal would not lead to unacceptable harm to living conditions of the occupiers of neighbouring properties, with regards to outlook, and therefore would be in accordance with SADLP Saved

Policies 69, 70 and 72, as well as the Framework, which require development to be of a high standard of design, respond to context, ensure acceptable space between dwellings is achieved, and create places that have a high standard of amenity for existing and future users.

Other Matters

14. The provision of adequate car parking, highway safety, proposed building materials, effect on light and privacy to neighbouring properties, and energy efficiency are not matters of dispute. However, even if I were to agree that these elements of the proposal are acceptable, they would be only neutral factors and would not weigh in favour of the proposal.
15. Reference is made by the appellant to a number of other approvals in the local area. Of these, some are located some distance from the appeal site, and are not visible from it, and therefore are not read in the same context. Those that are located on Meadway are not directly comparable as they do not appear to have related to a similar proposal to that presented here. Accordingly, I afford these decisions only limited weight in reaching my conclusions on this particular appeal, which I have considered on its own merits.

Planning Balance and Conclusion

16. The Council confirms that it is unable to demonstrate the supply of housing sites as required by the Framework. Therefore, I consider the most important policies to be out-of-date and I am taken, in regard to the specific circumstances of the case, to Paragraph 11 d) ii) of the Framework.
17. I have found that the proposed development would lead to harm to the character and appearance of the area, contrary to Saved Policies 69, 70 and 72 of the SADLP, and the proposal would be contrary to the development plan as a whole. It would also be contrary to the aims of the Framework which require new development to be of a high level of design. I ascribe this harm substantial weight.
18. The proposal would lead to the provision of an additional residential dwelling at the appeal site, which would make a positive, albeit modest, contribution towards boosting housing supply and I afford this moderate weight. This would, in turn, provide employment during construction, however this would be time limited. There would also be other social and economic benefits to Harpenden and the wider area in terms of supporting local facilities and services. These would, however, also be limited by the scale of the proposed development. For this reason, I afford them limited weight.
19. Having regards to the above, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. Therefore, the proposal would not represent sustainable development for which the presumption in favour applies.
20. The proposed development would conflict with the development plan and there are no material considerations, including the Framework, that would indicate a decision other than in accordance therewith.
21. For the reasons given above I conclude that the appeal should be dismissed.

C Harding

INSPECTOR