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# Appeal Decision

Site visit made on 17 March 2023

**by S Rawle BA (Hons) Dip TP Solicitor**

**an Inspector appointed by the Secretary of State**

**Decision date: 15 May 2023**

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**Appeal Ref: APP/X1925/D/22/3309564**

**15 Oakfields Road, Knebworth, Hertfordshire SG3 6NS**

- 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 Stephen Hamid against the decision of North Hertfordshire District Council.
  - The application Ref 22/01036/FPH, dated 9 April 2022, was refused by notice dated 26 August 2022.
  - The development proposed is the erection of detached double garage.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The appellant has referred to revised plans which were not considered by the Council when determining the application. I consider these would materially change the proposal subject of the original application. Given that interested parties have not had the opportunity to comment on the revisions, I have not had regard to them in determining the appeal.
3. Since the application was determined and the appeal submitted, the North Hertfordshire Local Plan 2011-2031 (NHLP) has been adopted and I have determined the appeal on that basis. The Council has provided details of the adopted plan and the appellant has had the opportunity to comment on the relevant policy relied on by the Council.

## Main Issue

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

## Reasons

5. The appeal property is a detached house located on an attractive residential road where properties are mainly detached on spacious plots set back from the road with parking areas and gardens to the front. Most houses have a front hedge and other vegetation in their front gardens such as trees and shrubs which creates a pleasant verdant character. This arrangement, together with a generally consistent building line, creates a largely uniform and spacious appearance to the street scene that contributes positively to the local character of the area.
6. The proposed development would introduce a detached double garage set forward of the existing house on the appeal site towards the front of the plot.

Due to its size and in particular its siting it would significantly erode the existing spacious appearance at the front of the property. The existing hedge along the frontage of the appeal site would not adequately screen or soften the proposal and in any case such a feature is not permanent and may change over time.

7. Notwithstanding the proposed low hipped roof design and the fact that according to the appellant it would cover 43% of the street frontage and 19% of the front garden area, the proposed double garage would be a highly prominent and visually obtrusive feature in the street scene that would be incompatible with the established pattern of development along Oakfields Road.
8. The appellant has drawn my attention to several other similar situations where garages are sited to the front of properties or where planning permission has been granted for such development. None of the examples highlighted are along Oakfields Road itself. Although relatively close by, the character and appearance of Oakfields Avenue and Stevenage Road, where the other properties are located, are materially different. These roads do not have the same largely uniform and spacious appearance as evident along Oakfields Road, in part because of the existence of the garages highlighted by the appellant. As a result, these other examples, and the impact they have on their surroundings are materially different from the proposed garage and do not justify harmful development at the appeal site.
9. The appellant has also highlighted that a house opposite has been granted planning permission for a large rebuild. I do not have the details of this development before me and I am unable to comment further, except to say that the fact that planning permission has been granted at that house does not justify harmful development at the appeal site.
10. Overall, I conclude that the proposal would have a harmful impact on the character and appearance of the area and would conflict with Policy D2 of the NHLP and Policy KBBE4 of the Knebworth Neighbourhood Plan 2019-2031, March 2022, which amongst other things seek to ensure that a proposal respects local character and does not have an adverse impact on the character and appearance of the street scene or area. The proposal would also conflict with the National Planning Policy Framework which seeks to ensure that development is sympathetic to local character. In their reasons for refusal, the Council cited saved Policy 28 of the Local Plan and Policy D2 of the emerging Local Plan. As outlined, the NHLP has now been adopted and has superseded these policies.

### **Other Matters**

11. As outlined, the appellant prepared revised drawings prior to determination of the application and asked for these to be substituted. According to the appellant the Council refused to consider these revised drawings and so considers the proposed amendments were not fairly considered. I do not know the full details of any pre-determination discussions. However, for the reasons set out above I have determined the appeal based on the plans considered by the Council. The fact that the appellant submitted amended plans which they don't think were fairly considered does not change my conclusions on the main issue.

## **Conclusion**

12. For the reasons given above I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal is dismissed.

*S Rawle*

INSPECTOR