

Appeal Decision

Site visit made on 30 May 2023

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2023

Appeal Ref: APP/P1940/D/23/3318809

18 Sandy Lodge Road, Moor Park, Hertfordshire, WD13 1LJ

- 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 M Vaghela against the decision of Three Rivers District Council.
 - The application Ref 22/2032/FUL, dated 24 November 2022, was refused by notice dated 18 January 2023.
 - The development proposed is a carriage driveway.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposal is taken from the application form. The Council provides a more detailed description in its refusal notice: "extension of existing dropped kerb, extension of driveway to form a carriage driveway and alterations to front soft landscaping."

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the Moor Park Conservation Area.

Reasons

4. The appeal property is a white-rendered two storey detached dwelling with crittall windows, a two storey front projection with a catslide roof and a two storey bay projection. It is located within a residential area within the Moor Park Conservation Area.
 5. The appeal property, like other dwellings along Sandy Lodge Road in this location, is set back from the road behind a grass verge and pathway and stands within a large garden plot.
 6. At the time of my site visit, construction works were taking place at the appeal property and hoarding was present. Submitted information shows that there was previously a large lawn to the front of the dwelling, enclosed by a low wall to the front and a driveway to one side of the lawn providing access from the road to the dwelling's garage and to the other side of the lawn, a narrower access providing for a footpath between the house and road.
-

7. Moor Park Conservation Area is characterised by the presence of low density “Metroland” development from the 1930s, where attractive two storey period dwellings sit within large garden plots, themselves set within planned, landscaped areas including grass verges, estate roads and street trees. This provides for a notably green and spacious environment and a strong sense of the area’s heritage.
8. The appeal property makes a significant contribution to these qualities – an open expanse of lawn to the front clearly complementing and appearing in keeping with, the verdant nature of its surroundings.
9. During my site visit, I observed that whilst many properties have been altered and/or extended, changes tend to appear in keeping with host dwellings and with the surrounding area.
10. The proposal would involve the widening of a dropped kerb and the extension of the existing driveway and this would result in the loss of lawn and areas of grass verge. Soft, green landscaping would be replaced by extensive additional areas of hardstanding and I find that this would introduce an urbanising and unsympathetic form of development that would appear to the detriment of the Conservation Area’s qualities.
11. Consequently, the proposed development would fail to conserve the appearance of the Moor Park Conservation Area. Having regard to paragraph 202 of the National Planning Policy Framework (the Framework) and to Planning Practice Guidance, I consider that the harm to the character and appearance of the Conservation Area would be less than substantial. This needs to be balanced against any public benefits the development may bring.
12. In this respect, whilst I recognise that the proposal would make accessing and leaving the property by vehicle easier, there is no substantive evidence before me to demonstrate that it would not be possible to access or leave the highway safely without the proposed development in place and consequently, this does not amount to a public benefit. There is nothing before me to demonstrate that there are any benefits that would amount to such public benefits that they would outweigh the harm identified.
13. Taking all of the above into account, the proposal would fail to conserve the character and appearance of the Moor Park Conservation Area contrary to the National Planning Policy Framework; to Core Strategy¹ Policies CP1 and CP12; and to DMP² Policies DM1 and DM3, which together amongst other things, seek to protect local character.

Other Matters

14. In support of the proposal, the appellant considers that the proposal would appear in keeping with other carriage driveways elsewhere along Sandy Lodge Road. Whilst I observed a range of front gardens, means of access and driveways along Sandy Lodge Road during my site visit, I have found that in this case, the proposal would fail to conserve the Moor Park Conservation Area.

¹ Reference: Three Rivers District Council Local Development Framework Core Strategy (2011).

² Reference: Three Rivers District Council Local Plan Development Management Policies Local Development Document (2013).

This is not a factor that is mitigated to any significant degree by the presence of other forms of development along Sandy Lodge Road.

Conclusion

15. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR