



Appeal Decision

Site visit made on 17 December 2024

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 December 2024

Appeal Ref: APP/B1930/D/24/3347237

7 Cassius Drive, Kings Park, St Albans, Hertfordshire AL3 4GD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Pancholi against the decision of St Albans City and District Council.
 - The application reference is 5/2024/0026.
 - The development is retention of additional hardstanding.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council issued its decision notice, the National Planning Policy Framework (the Framework) has been revised, with the latest version published on 12 December 2024. Those parts of the Framework most relevant to this appeal remain broadly the same. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party has been prejudiced by my approach.
3. I observed on my site visit that the development has already been carried out.

Main Issue

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

Reasons

5. This appeal relates to a modern, two storey, terrace property, which is sited within a predominantly residential area. The appeal property has an integral garage and an area of hardstanding to the front. There are a variety of dwelling sizes and designs in the locality, including terrace, semi-detached and detached dwellings. There is a footway and strip of soft landscaping to the front of the appeal property and wider terrace.
6. Adjacent properties within the terrace also have integral garages, with parking to the front. However, they have a larger area of landscaping to the front, which typically includes a path to the front door, with shrubs or grass/bark/or slate chippings on either side. Although small, these areas of landscaping provide some visual relief from the extent of hardstanding within the wider development and make a positive contribution to the character and appearance of the area.

7. The appeal seeks retrospective planning permission for the extension of the area of hardstanding to the front of No 7 Cassius Drive. The development uses paving materials that match those already on the driveway. The development has resulted in the loss of some soft landscaping to the front of the property. A small area of soft landscaping remains directly to the front of the dwelling, along with a beech hedge adjacent to the boundary with the neighbouring dwelling. As a result of the development, the area of hardstanding now spans most of the width of the plot. I appreciate that the beech hedge and the soft landscaping within the public realm provide some screening of the development and that the screening effect would increase as the plants grow and when the plants are in leaf. Nevertheless, given the hardstanding directly abuts the footway, it is highly prominent particularly by users of the footway.
8. The appellants advise that the additional area of hardstanding measures less than 8 square metres, which equates to 20% of the front garden. Nonetheless, I find that in combination with the existing hardstanding on site, the area of hardstanding dominates the front of the property and detracts from the character and appearance of the area.
9. While I observed slate within the front gardens of some properties within the terrace, the use of slate is ornamental, thus preserving the presence of a front garden. Furthermore, the slate is not used for vehicular parking.
10. I acknowledge that there are larger areas of hardstanding within the immediate locality that are used for car parking and that these other areas have limited screening and are more prominent from the public realm than the appeal scheme. Nevertheless, given the extent of hardstanding in the area, I find that it is even more important to retain the small areas of soft landscaping, which provide some visual relief.
11. Furthermore, while all appeals are dealt with on their own merits, there is a reasonable prospect of similar development being repeated along the terrace and nearby, which would be difficult to resist if the appeal were allowed given the similarity between the site and others nearby. The cumulative effect of such development would cause significant harm to the character and appearance of the area.
12. For the reasons given above, I conclude that the development is harmful to the character and appearance of the area and conflicts with Policies 69 and 72 of the City and District of St Albans District Local Plan Review November 1994 (the Local Plan). These policies among other things require that a high standard of design is achieved, that development relates to the domestic scale, character and appearance of the street scene and that in areas of specific and repetitive character, applications that may lead to an adverse cumulative effect will be refused.

Conclusion

13. For the reasons given above, the development would conflict with the development plan as a whole and there are no other material considerations, including the Framework that would outweigh that conflict. Therefore, I conclude that the appeal should be dismissed.

A James INSPECTOR