



Appeal Decision

Site visit made on 22 April 2025

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2025

Appeal Ref: APP/N1920/W/24/3353289

Land at 71-93 Stratfield Road, Borehamwood, WD6 1UQ

- 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 Rinestone Properties Limited against the decision of Hertsmere Borough Council.
 - The application Ref is 24/0423/FUL.
 - The development proposed is construction of new infill residential development comprising 7 flats and 6 houses with associated hard and soft landscaping, refuse stores, reconfigured car park with additional parking spaces and cycle stores.
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Decision

1. The appeal is dismissed.

Main Issues

2. There is no suggestion from the council's evidence that the proposed houses would be harmful to the character and appearance of the area. Given the similarity in scale and design to surrounding properties I see no reason to disagree with this.
3. The main issues are therefore:
 - The effect of the proposed block of flats on the character and appearance of the area,
 - The effect on the living conditions of existing occupiers, with particular regard to the supply of outdoor communal space; and,
 - Whether it would make sufficient provision for on-site parking spaces.

Reasons

Character and appearance

4. The appeal site is a large site with three existing blocks of flats and a communal grassed area. The proposed block of flats would occupy the most prominent corner of the site at the junction of Stratfield Road and Audley Close. Surrounding properties are typically two or three storeys in height, with the three existing blocks providing the immediate context for the proposed development.
5. Within the wider area there is variety in the form, appearance and size of buildings, including a tower block further along Stratfield Road that is visible from the appeal site. However, the immediate setting of the appeal site is relatively homogenous in scale and form, largely comprising terraces of two-storey houses. The three blocks are therefore prominent in the Stratfield Road street scene due to their height,

footprint, location on a corner site and repetitive form. In addition, most nearby buildings have relatively shallow roof pitches, although there are some instances of mansard and asymmetric roofs in the vicinity.

6. The blocks are the tallest structures in the immediate street scene. However, they are set well back from the front site boundaries with open lawns between the blocks and the pavements. This landscaping and the extent of space prevents them from being seen as overly dominant in the street scene. The spacing between the blocks also provides visual relief and allows views to and from the properties to the rear. As the properties to the rear include three-storey houses this provides context for the scale of the existing blocks.
7. The proposed block of flats would almost entirely infill the gap between the two blocks closest to the junction. It would be the tallest building in the immediate street scene, and project much closer to the front boundary of the site.
8. The design of the proposed block draws on elements present in the wider area, such as asymmetric roofs and mansard roofs. The inclusion of balconies would be in keeping with the neighbouring blocks. The two-tone elevations would be similar to exterior finishes visible throughout the area. The roofscape would incorporate gables which are features found in the wider area. Furthermore, the development would introduce visual interest where at present the existing blocks only present blank gable walls.
9. Nonetheless, even allowing for these measures the proposed block would be an incongruous and intrusive form in the street scene. Corner plots can be suitable for larger buildings that serve as a focus. However, due to its height, siting and irregular roof form when seen in the context of the repetitive and simple forms of the existing blocks the proposed block would be an overly dominant structure. The roof due to its incorporation of multiple steeply sloped faces, a projecting dormer on one front roof slope, irregular form and height significantly in excess of the surrounding properties would be a visually dominant feature not in keeping with the surrounding area. The development would also result in the loss of almost all spacing between the existing blocks as the proposed block would be attached to the neighbouring blocks.
10. The appeal proposal would therefore be harmful to the character and appearance of the area. Consequently, it would conflict with policies CS22 of the Hertsmere Local Plan Core Strategy (the Core Strategy) and SADM30 of the Hertsmere Site Allocations and Development Management Policies Plan (the Allocations Plan). Taken together these require that development be of high quality design that would respect, enhance or improve the visual amenity of the area by virtue of its scale, mass, bulk and height.

Communal space

11. Policy SADM30 of the Allocations Plan requires that development have limited impact on the amenity of occupiers and neighbours in terms of outlook, privacy, light, nuisance and pollution. No conflict with any of these points has been identified by the council as arising from the loss of a significant part of the communal space. However, the policy also requires that development result in a high quality design, and specifically that major development create a sense of place by complementing the local character, pattern of development or distinctiveness of its surroundings.

12. I am mindful that the National Planning Policy Framework (the Framework) sets an aim of achieving well-designed places. As part of this, developments are expected to create places which promote health and well-being, with a high standard of amenity for existing and future users.
13. The development would involve a substantial reduction in the extent of communal amenity space for existing residents at the site. The remaining space would also be shared between an increased number of residents as it would be used by the residents of the proposed block of flats as well.
14. No specific standard for outdoor amenity space has been identified, nor is the outdoor space formally protected. However, the scale of reduction would be such that the quality of the space would be substantially diminished.
15. The appellants have suggested that the site is underused. However, this is not supported by the many representations from residents attesting to the space being used throughout the year. The development would include enhancements to landscaping and facilities for residents. However, the space is clearly valued and makes a significant contribution to the quality of the place and the amenities of residents. It is of sufficient size to meet the needs of a large number of residents without them intruding on one another. The proposed reduction in space would result in a compromise of the space's ability to accommodate larger numbers, and this would not be offset by the proposed improvements to its quality.
16. Overall, therefore, the appeal proposal would result in poorer living conditions for existing residents. This would be contrary to the identified aims of policy SADM30, as well as those of the Framework.

Parking spaces

17. Policies CS25 of the Core Strategy and SADM40 of the Allocations Plan taken together require suitable provision of off-street car parking in new development. Both refer to parking standards in the Parking Supplementary Planning Document (the SPD). Both main parties have referred to the draft SPD dated September 2022, and I have therefore based my decision on its guidance.
18. The 2022 SPD seeks a provision of up to 16 parking spaces for the proposed development. The appeal site falls on the boundary between Residential Accessibility Zone 1, where a provision of 40-60% of the standard is sought and Zone 2 where a provision of 60-80% of the standard is sought. The development would provide 2 new parking spaces. However, the SPD also states that car-free development may be acceptable in principle in Accessibility Zones 1 and 2, and that developers will be required to demonstrate why car-free development represents the best available option.
19. 51% of unrestricted parking area within 400 metres of the appeal site were occupied over the course of the parking survey conducted by the appellant. This includes on-pavement parking, but this is acceptable in the borough. Across the course of the survey there were more than 50 spaces available within 400 metres at each inspection time.
20. While 400 metres is still a significant distance to walk for those with children, those carrying shopping and so on many of the identified spaces were closer. Residents have attested to existing parking issues in the immediate vicinity of the site, and I

saw during my visit that parking in the immediate vicinity of the site was well-used with few spaces. However, if I had otherwise been minded to allow the appeal it would have been possible to require through a legal agreement that none of the proposed properties would be entitled to receive parking permits. This would preserve the rights of existing permit holders to park close to their properties.

21. This combination of existing parking restrictions and the site's proximity to services and facilities means that a parking provision below that sought in the SPD would be acceptable in this instance. The appeal proposal therefore accords with the identified requirements of policies CS25 and SADM40.

Planning Balance

22. The council accepts that it cannot demonstrate a five year supply of deliverable housing land. In addition, its most recent housing delivery test figures show that it has delivered less than half of its target. Accordingly, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
23. The development would deliver 13 flats and houses, supporting the government's objective of significantly boosting the supply of homes. Given the shortfall both in land supply and housing delivery, this attracts considerable weight.
24. In addition, the appeal proposal would be a more efficient use of an existing residential site in a sustainable location. The development would be constructed in a sustainable manner, including the installation of photovoltaic panels and delivering a biodiversity net gain. There would also be short-term economic benefits arising from the development. These considerations add further weight in favour of the appeal proposal.
25. However, the proposed block of flats would be a large and prominent building in the street scene. Due to its size, siting and detailed design this aspect of the development would be harmful to the character and appearance of the area. Furthermore, the development would substantially reduce the available communal amenity space, causing harm to the living conditions of existing residents.
26. The scale of harm arising from this proposed development would be so great that it would significantly and demonstrably outweigh the benefits that would arise from it. Consequently, the appeal proposal conflicts with the development plan and there are no material considerations to indicate that a decision should be made other than in accordance with it.

Conclusion

27. For the reasons set out above the appeal is dismissed.

M Chalk

INSPECTOR