



Appeal Decision

Site visit made on 2 July 2025

by **H Marriott MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 JULY 2025

Appeal Ref: APP/B1930/D/25/3360846

32 Mayflower Road, Park Street, St Albans, Hertfordshire AL2 2QW

- 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 and Mrs Solts against the decision of St Albans City and District Council.
 - The application Ref is 5/24/1373.
 - The development proposed is a replacement boundary wall.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form confirms that the development subject of this appeal has been started. With the exception of a proposed bladed fence to be installed on top of part of the wall, I also saw during my site visit that the majority of the wall has been erected. I have determined the appeal on this basis and on the plans before me.
3. The Council's decision refers to Policy 70 of the City and District of St Albans District Local Plan Review (1994) (LP). However, this appears to be an error on the Council's decision as it relates to new housing. The Council alternatively refer to Policy 72 of the LP relating to extensions in residential areas within its delegated report and a copy of this policy has been provided. I have therefore had regard to this policy insofar as it is relevant to the appeal proposal.

Main Issue

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

Reasons

5. The appeal site is located on a corner plot at the junction of Mayflower Road and Dell Rise. Mayflower Road is a residential street fronted by a mixture of bungalows and two-storey dwellings that are set back behind similar sized front gardens. Dell Rise is a narrower street which rises slightly in gradient and is fronted primarily by bungalows, also set behind similar sized front gardens that follow the curve of the road. Front gardens on both streets tend to be open or enclosed by low shrubs, hedgerows or dwarf/low brick walls. These characteristics make a positive contribution to the area's cohesive street scene.

6. The appeal dwelling (No 32) is a bungalow which has recently been extended and altered¹. Its façade comprises off-white colour rendered walls and a tiled roof. From the evidence provided, a dwarf wall previously formed the boundary to No 32, with a hedgerow also located adjacent to its boundary with Dell Rise.
7. The boundary wall subject of this appeal lies immediately adjacent to the footway and follows the curve of Dell Rise. The wall is stepped in height and part of the wall would be broken up with a section of bladed fence. However, there is a large expanse of unbroken mass of wall, as it turns the corner into Dell Rise that is particularly imposing by virtue of its prominent position, height, smooth and contemporary finish that contrasts with the prevailing boundary treatments in the area. Even though it is rendered to match the colour of walls on the main house, the wall represents a stark and incongruous addition to the street scene.
8. I conclude that the development has a harmful effect on the character and appearance of the area. In this regard, it is contrary to Policies 69 and 72 of the LP and Policies S3 and S5 of the St Stephen Parish Neighbourhood Plan 2019 – 2036 (2022) which require development to have an adequately high standard of design, to relate to the character and appearance of the street, to take account of the local context, to respond and integrate well with its surroundings and to provide high quality boundary treatment.
9. I note the appellant's reference to the National Planning Policy Framework (the Framework) with regard to the presumption in favour of sustainable development. However, paragraph 131 of the Framework confirms that good design is a key aspect of sustainable development, and the appeal proposal falls short in this respect. Furthermore, the development is also contrary to paragraph 135 of the Framework, including the requirement to ensure development adds to the overall quality of the area.

Other Matters

10. The appellants have drawn my attention to other means of enclosure in the area which they consider similar to the appeal proposal including at 2, 12, 34, 41 and 43 Mayflower Road, 23, 27, 44, 57 and 62 Ringway Road, 85 and 87 Orchard Drive, 30 Dell Rise and 1 Fairway Close. I have not been provided with any detailed planning history of these enclosures. In any case, none of the examples provided are the same as the appeal proposal, particularly as none relate to rendered walls around prominent corner plots. Therefore, I do not consider these examples to justify the harm that I have identified in this case. In any event, I have considered the development on its own merits and site-specific circumstances.
11. It is acknowledged that a means of enclosure is required to provide security and privacy to the main private garden area serving No 32, and that this would also help to keep pets and children safe. The appellants requirement for a low maintenance means of enclosure that utilises durable materials and maximises the available garden space is also noted. On this basis, my decision has the potential to affect the enjoyment of the home and family life of the occupiers of the dwelling. I have, therefore had regard to human rights of the individual provided under Article 8(1) of the Human Rights Act 1998. However, the dismissal of the appeal is

¹ Council ref: 5/2023/1164 Front extension and raising of roof of existing garage and conversion to residential accommodation, with a linking room between the house and the new accommodation. Refurbishment of existing house, alterations to openings and installation of rooflights.

a proportionate and necessary approach as the harm to the character and appearance of the area caused by the appeal proposal outweighs the benefits highlighted by the appellants. Furthermore, these aims could be achieved through an alternative scheme which would sit more comfortably within its context and would not cause harm to the character and appearance of the area.

12. Whilst the appellants suggest that the appeal proposal ensures better public safety, there is no substantive evidence before me to indicate that other means of enclosure in this location would not be safe.
13. The Council identified no harm in relation to the removal of the previous means of enclosure/boundary vegetation, biodiversity or highway safety including visibility. However, these considerations indicate the absence of harm in those respects and do not justify the appeal proposal. Nor do the letters of support from interest parties.

Conclusion

14. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Marriott

INSPECTOR