



Appeal Decision

Site visit made on 2 September 2025

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 24 September 2025

Appeal Ref: APP/P1940/W/25/3362351

78 Gallows Hill Lane, Abbots Langley, Hertfordshire WD5 0BY

- 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 Jon Gomme of SLG Designs Limited against the decision of Three Rivers District Council.
 - The application Ref is 24/1866/FUL.
 - The development proposed is the demolition of existing property and erection of 4 x sustainable family semi-detached dwellings together with internal access road and private amenity space.
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Decision

1. The appeal is dismissed.

Background and Main Issues

2. The Preliminary Ecological Appraisal and Roost Assessment highlighted the need for three additional bat surveys. These surveys have been submitted as part of this appeal. They suggest a number of recommendations and enhancements. The Council have had the opportunity to comment on the survey results and are satisfied that subject to appropriately worded conditions the proposal would not harm protected species.
3. As such, the main issues are:
 - the effect of the proposal on the character and appearance of the area, with particular regard to the host dwelling as a non-designated heritage asset;
 - the effect of the proposal on the living conditions of neighbouring residents, with particular regard to outlook and privacy; and
 - whether the appropriate biodiversity net gain could be secured.

Reasons

Character and appearance

4. The area is suburban, with the immediate area characterised by large, detached properties, set back from the highway. The appeal site comprises a substantial arts and crafts style property set behind the prevailing building line of the street with large front and rear gardens. Although the mature planting has been cleared from the site, it contributes to the verdant, open character of the rear garden environment.
5. Although the host property is not nationally or locally listed, it is a non-designated heritage asset with note-worthy local significance. Insofar as is relevant to this

- appeal, the house derives significance from its architectural character and detailing, setting within its large plot, historic connections with prominent local figures and positive effect on the streetscape.
6. Plots H1a and H1b would reflect the scale of the host dwelling, aligned with the prevailing building line of the street and provide a modern interpretation of the arts and crafts style with a pleasing arrangement of forms and a variety of high-quality materials. Nevertheless, the proposal would result in the complete loss of the host dwelling, and hence its significance.
 7. The appellant asserts that the host property could be demolished via permitted development. However, given the lengthy planning history of the appeal site, I am not satisfied that such an approach would be forthcoming if this appeal were not successful. Although, renovation works would be needed to modernise the property, I have no evidence before me to indicate that this would not be possible and that the property could not be brought back into active residential use whilst maintaining its significance.
 8. Plots H2a and H2b would be accessed via a private drive directly abutting Plot H1b, with a large portion of the appeal site dominated by hardstanding. Despite the properties on Little Orchard Close, Plots H2a and H2b would introduce dwellings in a backland position which would fail to replicate the road fronting pattern of development seen in the area. Whilst there is some variety in plot size within the surrounding area, the subdivision of the existing curtilage would result in uncharacteristically short plots with minimal road frontage.
 9. The proposal would provide sufficient outdoor amenity, parking and turning space. Whilst public views would be glimpsed, when viewed in relation to the surrounding large, verdant gardens, the sites development with two pairs of semi-detached properties and associated features would appear cramped.
 10. Therefore, I conclude that the proposal would harm the character and appearance of the area, with particular regard to the host dwelling as a non-designated heritage asset. The proposal would conflict with Policies CP1, CP3 and CP12 of the Local Development Framework Core Strategy (October 2011) (CS) and Policy DM1 of the Local Plan Development Management Policies Local Development Document (July 2013) (DMP) where amongst other things they seek to conserve and enhance heritage assets and ensure development has regard to local context and conserves and enhances the character and quality of an area, including plot depth and frontage.
 11. The proposal would also fail to accord with the National Planning Policy Framework (Framework) where it requires development to add to the overall quality of the area; be visually attractive as a result of layout; be sympathetic to local character and history and maintain a strong sense of place.

Living conditions

12. There are numerous dwellings positioned to the south and west on Broomfield Rise and Little Orchard Close. The row of properties on Broomfield Rise are positioned at an angle in relation to the boundary with the separation distance to the appeal site increasing along the row, whereas the properties on Little Orchard Close are perpendicular to the appeal site with a relatively consistent separation distance.

Notwithstanding, the spacing of the neighbouring properties, they all benefit from an open outlook across the appeal site.

13. The existing garden would be subdivided, with a pair of semi-detached properties built towards the rear of the site. I note that the roof has been designed to reduce impact, however the overall mass of plots H2a and H2b would be substantial. Although they would be set back from the rear and side boundaries with a staggered footprint, they would fill a significant portion of the rear of the appeal site.
14. Despite the generous garden distances and suburban location, the semis would be a dominant feature when viewed within the garden context. As such, the proposal would harm the open outlook currently afforded to the occupiers of the neighbouring properties.
15. Whilst the appellant asserts that many trees would be retained and new planting provided to screen the proposal and soften the outlook, the majority of the mature vegetation has been removed from the appeal site, and any new planting would provide limited screening.
16. Although the length of the proposed rear gardens falls slightly below the expected standards for privacy without screening, the properties on Broomfield Rise are positioned at an oblique angle with a long garden and high-level boundary treatments. As such, despite the first floor glazing to the rear of the semis, the proposal would not have a detrimental effect on privacy.
17. Overall, I conclude that whilst the proposal would not be detrimental in terms of privacy, it would harm the living conditions of neighbouring residents with particular regard to outlook. It would conflict with Policy CP12 of the CS and Policy DM1 of the DMP where they seek to ensure development protects residential amenities. There would also be conflict with the Framework where it requires development to create places with a high standard of amenity for existing users.

Biodiversity net gain

18. The parties agree that the Biodiversity Gain Condition would apply to the development if permission were granted.
19. I note the Council's concerns regarding the contents of the Biodiversity Net Gain Assessment (BNGA). However, in line with guidance, the baseline values are based on the appeal site prior to its clearance. Whilst the Proposed Tree Plan, Drawing No. P337_TP_0.01 is out-of-date with the majority of vegetation having been removed from the site, the Post Development Habitat Plan, shown within the BNGA appears to be accurate. It depicts areas of private garden and neutral grassland, with one retained tree and hedge as well as 11 new trees.
20. The BNGA provides recommendations to achieve the required biodiversity net gain, including suggestions to maximise the on-site habitats and provide off-site biodiversity units. Whilst I have no substantiated evidence before me to indicate whether the on-site recommendations will be implemented, this information will be required as part of the Biodiversity Gain Plan to demonstrate how the biodiversity gain objective would be met.
21. As such, I conclude that the appropriate biodiversity net gain could be secured. The proposal would accord with Schedule 7A of the Town and Country Planning Act

1990, where it requires development to contribute to and enhance the natural and local environment by providing at least a 10% net gain for biodiversity.

Planning Balance

22. The parties agree that the Council can only demonstrate a 1.7 year housing land supply, well below Government expectations. Moreover, the evidence indicates a prolonged shortfall. Therefore, Framework paragraph 11d is engaged.
23. The Framework requires that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history; establish and maintain a strong sense of place; optimise the potential of a site and sustain an appropriate amount of development; and create places with a high standard of amenity for existing and future users. The proposal would result in the complete loss of a non-designated heritage asset and as I have found above, would appear cramped, and significantly detract from the open, rear garden environment. Further, the proposal would be harmful to the living conditions of the neighbouring residents. I consider this conflict to carry significant weight.
24. Nevertheless, the Framework seeks to boost the housing supply and highlights the important contribution small sites can make and the speed at which they can be delivered. The proposal would provide three additional dwellings in an accessible location. It would make a valuable contribution towards the housing stock in circumstances where there is a significant and prolonged shortfall. Therefore, I attribute this matter moderate weight.
25. Short term employment would be provided during the construction and in the long term the future occupiers would benefit the local economy and community by helping to sustain the vitality and viability of local services and facilities. However, the social and economic benefits of three additional dwellings would be modest with limited weight.
26. The proposed dwellings would be well-insulated and would utilise low carbon technologies. The Framework encourages the use of renewable energy and recognises that even small-scale projects can provide a valuable contribution to cutting greenhouse gas emissions. Nevertheless, the demolition of the host property would contribute to the carbon lifecycle of the site. As such, in this instance, the use of low carbon technologies attracts moderate weight.

Conclusion

27. Overall, 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, including the provisions in the Framework and the benefits of the proposal, which indicate that the development should be determined other than in accordance with it. Therefore, the appeal is dismissed.

K Allen

INSPECTOR