



Appeal Decision

Site visit made on 24 November 2025

by **C Housden BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th January 2026

Appeal Ref: APP/B1930/W/25/3373570

68 Windmill Avenue, St Albans, Hertfordshire AL4 9SN

- 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 T Widiatmoko and Mrs N Febrianti against the decision of St Albans City & District Council.
 - The application ref is 5/25/0601.
 - The development proposed is change of use of amenity land to residential garden and erection of 2m high boundary fence.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. As part of the appeal, the appellant has submitted a plan demonstrating pedestrian and vehicle visibility splays and a Technical Note¹. I am satisfied that this new information would not evolve the development or fundamentally change it from what was originally under consideration by the Council. Furthermore, the Council has had the opportunity to comment upon these documents as part of the appeal. I am therefore satisfied that there are no procedural or substantive reasons not to accept this information. I have made my decision on this basis.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - pedestrian and highway safety.

Reasons

Character and appearance

4. Windmill Avenue is a residential street with a mix of single and two storey detached, semi-detached and terraced properties. It has a consistent and mostly linear pattern of development which features properties set back from the road with predominantly open frontages. The frontages often feature grass verges, hedges and trees which positively contribute to the character and appearance of the area.

¹ By Transport Planning Associates dated July 2025

5. Due to 68 Windmill Avenue (No 68) being set in a corner plot on the bend of Windmill Avenue, unlike most properties within the area, both the front and side of the plot of No 68 feature prominently within the streetscene. In particular, the side area of the appeal plot comprises a verdant open space with grass, hedges and a tree. This open side verge of No 68 aligns with the open frontages on the return of the properties along Windmill Avenue and reads as part of this row of frontages, positively contributing to the verdant and open character and appearance of the area.
6. The enclosure of this space through the appeal proposal would considerably harm the positive open and verdant character and appearance the side of the corner plot makes to the streetscene. The enclosed space would disrupt the open pattern of development along the return of Windmill Avenue and the fence itself would appear out of keeping with the appearance of the row of open verdant spaces. The narrow retained verge and proposed planting would be insufficient to mitigate these harms.
7. My attention has been drawn to the properties of 33 Windmill Avenue (No 33), 2 Chiltern Road (No 2) and 7 Chiltern Road (No 7), all of which are dwellings situated in corner plots within the nearby area. In the case of No 7 it has been subject to a side extension, whilst Nos 2 and 33 have fencing located on the side edge of the plot which abuts the adjacent pavement. Whilst these examples are within the local area, they are all situated away from the long return of Windmill Avenue where the proposal would be predominantly viewed from. As such, the streetscene context of these examples is different to that of the appeal proposal. Therefore, the presence of these examples does not persuade me that the appeal proposal is acceptable or otherwise justifies the harm to the character and appearance of the area that I have identified. Furthermore, each proposal should be assessed on its individual merits which I have done so in this case.
8. The development would result in considerable harm to the character and appearance of the area. It would therefore conflict with Policies 69, 74 and 75 of the St Albans District Local Plan Review (1994) (SADLPR). These Policies, amongst other matters, seek to retain important landscape features, ensure that development is of an adequately high standard of design that takes into account the character of its surroundings and does not destroy the character of the environment of the surrounding area.
9. The Council's associated reason for refusal refers to Policy 72. However, as this policy relates to extensions to dwellings and other buildings, it is not directly relevant to the appeal proposal and as such, I do not find conflict with it.

Pedestrian and highway safety

10. The Technical Note submitted with the appeal identifies that based on the speed surveys undertaken, vehicle visibility splays of 2.4m x 19.0m to the north and 2.4m x 18.0m to the south are required. Furthermore, the evidence shows that 0.65m x 0.65m pedestrian visibility splays are also required. This is not challenged by the Council, and I see no reason to come to a different conclusion on the required splays.
11. The plan submitted with the appeal demonstrates that both the required vehicle and pedestrian visibility splays would be achieved by the proposal. It follows that the occupiers of the property would have sufficient views of pedestrians and other

road users when utilising the driveways and therefore no harm would occur in this regard. As such, the proposal would comply with Policy 34 of the SADLPR. This policy, amongst other matters, seeks to ensure that in relation to road safety proposals provide adequate visibility.

Other Matters

12. The proposal would improve the living conditions of the occupiers of No 68 through the provision of additional private garden space. However, given this is a personal benefit it would only carry limited weight in favour of the proposal. This would not outweigh the harm that I have identified.

Conclusion

13. 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. Therefore, for the reasons given above, the appeal should be dismissed.

C Housden

INSPECTOR