

Appeal Decision

Site visit made on 12 March 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2024

Appeal Ref: APP/X1925/W/23/3326023

38 Heathfield, Royston, Hertfordshire SG8 5BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by 1418 Development & Consulting Ltd against the decision of North Hertfordshire District Council.
 - The application Ref 23/00830/FP, dated 7 April 2023, was refused by notice dated 26 June 2023.
 - The development proposed is a residential dwelling to the rear of 38 Heathfield, including demolition of existing garage at 38 Heathfield, and alteration and extension of the existing vehicular access and driveway, and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The proposal would result in a new dwelling to the rear of the existing house at 38 Heathfield. The council is concerned that the proposal would detract from the existing character of the area which is characterised by detached properties with relatively open frontages which contain significant levels of planting. It is also evident that many Heathfield properties have large rear gardens which include mature planting that is evident from the road. Many of the houses are set back and as a result, it is the landscaping that is the most prominent aspect of the character of the area, with the buildings themselves, sitting relatively subserviently within this context. There are some areas, including some properties opposite the appeal site, where houses are not set as far back from the road and frontage vegetation is more limited but overall, the character is perceived as being a low density neighbourhood with buildings set unobtrusively within the mature landscape setting.
 4. The proposed dwelling would be to the rear of the existing house which would screen much of the new building. There is a similar bungalow to the rear of the adjoining property, 40 Heathfield, which represents an oddity within this area, being the only perceptible development in-depth. That property is not prominent in the street scene but it is evident. The combination of the driveway
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to that property and the open driveway and parking area to the front of number 40 results in a greater prominence of development generally. The limited perception of the dwelling to the rear of number 40 is due in part to the landscaping within the front garden of the appeal property and along the side boundary between them.

5. The planning statement suggests that there would be no loss of trees on site. It is evident that some trees have already been felled in the area of the proposed dwelling. A survey drawing or tree constraints/protection plan has not been provided. The Proposed Site Plan shows two different demarcations for trees but it is unclear what these different markings represent. The existing access passes between two substantial trees which allow for only its current very narrow width. The plan suggests that the access would be altered and moved to the west. It would appear therefore that at least one of these substantial trees would be lost. There is also a tree just in front of the house, to the side of the existing access, which is not shown on the plan. It would appear that this may also be lost to the new area for parking and turning.
6. No trees are shown for part of the length of the side boundary to the front of the existing house and no planting is proposed other than to the rear. Whilst some of the vegetation between these properties is situated alongside the adjacent driveway and some remains shown alongside the new driveway, it appears that significant amounts of vegetation would be lost. There is no clear information to demonstrate what is to be retained; whether the trees or large bushes could be retained without harm during construction; or whether they would survive with the revised layout.
7. The landscape setting of these properties is crucial with regard to maintaining the existing character of the area. From the information presented and my findings during my visit, it would appear likely that the frontage vegetation and the side vegetation would be significantly reduced and the revised alignment of the access would prevent or restrict meaningful replacement planting. In the absence of clear evidence to the contrary in this regard, it is likely that the proposal would increase the prominence of the neighbouring rear property which is already out of character. It would also result in greater exposure of the dwelling proposed. This would consolidate the scale and prominence of development in-depth in this area. Even if it could be demonstrated that existing vegetation would be retained, the scale of the new parking area to the front of the existing property; the new driveway; and the combined driveways and parking areas of the two neighbours to the west, would result in a considerable expanse of surfacing with more limited planting, to the detriment of the general landscape setting. This represents poor design in this particular context.
8. On the basis of the evidence presented, the proposal would result in harm to the character and appearance of the area. It would not therefore gain support from policies SP9 or D1 of the North Hertfordshire Local Plan 2022 (LP) which only supports development that is well designed and responds positively to its context, including taking all reasonable opportunities to create or enhance the public realm. It also conflicts with the *National Planning Policy Framework 2023* which seeks development that functions well and adds to the overall quality of the area.

9. Much has been made of the dormer bungalow to the rear of number 40 which was permitted in 1999. I do not have the details of the policies that were in place at that time but in any event, I must consider the current proposal on the basis of the current policies. That dwelling, although appearing at odds with the surroundings, currently has a relatively limited wider impact given the scale of development to the frontage plot and the retained landscaping, particularly within and adjacent to, the appeal property. Its presence does not suggest that similar developments would not erode the existing positive characteristics of the area.
10. The council consider this to be an accessible location for new housing and therefore the principle would be acceptable with regard to LP policy SP2. They accept that the proposal would bring social and economic benefits from its construction and the provision of a new dwelling. The more efficient use of land and the social and economic contributions the occupants of a new dwelling would bring would also offer support for the proposal. Reference is also made to the environmental benefits incorporated into the design. Although this represents only a single dwelling, these matters, taken together, offer considerable weight in favour of the proposal.
11. Whilst I have had full regard to the benefits of this proposal, the information submitted does not demonstrate that the development overall, would not result in considerable harm to the character and appearance of the area. It would result in more surfacing, less landscaping and a greater perception of uncharacteristic in-depth development. This environmental harm would also represent poor design in this context. I conclude that the matters in support of the proposal, including the lack of local objections, are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR