

PLANNING CONTROL COMMITTEE**DATE: 27 January 2022****PLANNING APPEALS DECISION**

APPELLANT	DESCRIPTION	SITE ADDRESS	REFERENCE	APPEAL DECISION	COMMITTEE/ DELEGATED	COMMENTS
Mr Paul Ashby	Retention of a wooden fence to front/side elevation for security and privacy purposes	2 Chapel Road Breachwood Green Hitchin Hertfordshire SG4 8NU	21/01335/FPH	Appeal Dismissed on 29 November 2021	Delegated	The Inspector concluded that the boundary fence has a harmful effect on the character and appearance of the area. It is contrary to the overall aims of Saved Policy 57 (Residential Guidelines and Standards) of the North Hertfordshire Local Plan No.2 with Alterations 1996 (Saved Policies 2007) (LP) that, amongst other things, seek to ensure that development achieve the highest standard of design that relates to and enhances their site and the character of the surroundings. In addition, the development does not accord with the National Planning Policy Framework (the Framework) that developments should seek to secure a high quality of design that are sympathetic to the local character (paragraph 130) The Inspector also concluded that the boundary fence does have an adverse effect on highway safety. It does not accord with the Framework that seeks to ensure developments achieve safe and suitable access to the site for all users (paragraph 108), highway safety (paragraph

						109) and create places which minimise the scope for conflicts between pedestrians, cyclists and vehicles (paragraph 110).
Garrison Court Freeholders Ltd	Two connecting 4-storey blocks comprising of 8 apartments following demolition of existing garages.	Garages Rear Of Garrison Court Mount Garrison Hitchin	20/03045/FP	Appeal Dismissed on 17 December 2021	Delegated	The Inspector concluded that the proposed development would have an adverse effect upon the living conditions of the occupiers of neighbouring properties. The development, in this regard, would conflict with LP Policies 26 (Housing Proposals) and 57 (Residential Guidelines and Standards). Amongst other matters, these seek to ensure that new developments be acceptable in that location within the environment of the existing area; and require careful and thoughtful design for future generations, whether or not these are residents.
Mr A Mitchell	Erection of one detached 3-bed dwelling including creation of vehicle access off Stobarts Close.	16 Deards End Lane Knebworth Hertfordshire SG3 6NL	20/02706/FP	Appeal Dismissed on 20 December 2021	Delegated	The Inspector concluded that the proposed development would be harmful to the character and appearance of No 16, and it would also fail to preserve or enhance the character and appearance of the Deards End Lane Conservation Area, and would adversely affect the significance of this designated heritage asset. This is contrary to the heritage aims of Policy HE1(Designated heritage assets) of

						the emerging North Hertfordshire Local Plan 2011-2031(emerging LP) and would conflict with the requirements of the Framework.
Mr Birju Patel	Demolition of garage and removal of roof of annexe followed by part two storey and part first floor extension on the south side and single storey side extension on the north side.	10 Girons Close Hitchin SG4 9PG	21/01017/FPH	Appeal Dismissed on 20 December 2021	Delegated	The Inspector concluded that the proposed development would significantly harm the character and appearance of the appeal site and surrounding area. This would be contrary to the design, character and appearance aims of saved LP Policies 28 (House Extensions), 57 (Residential Guidelines and Standards); emerging LP Policy D1 (Sustainable design), D2 (House extensions, replacement dwellings and outbuildings) and the requirements of the Framework. The Inspector also concluded that the proposed development would significantly harm the living conditions of neighbouring occupiers, particularly those present at 11 Girons Close.
Mr Norrington	Erection of two detached 3-bed and one detached 4-bed bungalows including alteration to the existing vehicular access off London Road following demolition of existing dwelling.	The Red Lion Stud London Road Reed SG8 9RP	20/02459/FP	Appeal Allowed on 20 December 2021	Delegated	The Inspector found that as the benefits of the scheme can be ascribed a limited to moderate amount of weight and the harm from the development would attract a limited amount of weight, the Inspector concluded that the adverse effects from granting planning permission would not

						significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.
Mr Francesco Benucci	Installation of vehicular crossover.	33 Bearton Road Hitchin SG5 1UE	21/01850/FPH	Appeal Allowed on 23 December 2021	Delegated	The Inspector stated that there was no evidence before them that the addition of a crossover would materially harm or undermine the highway safety of users of Bearton Road, particularly in light of the number of crossovers already in use along this stretch of the road. Consequently, the Inspector did not find harm to the relevant parts of section 9 of the Framework (2021), nor policy 5 (Development Management) of the Local Transport Plan 4 (2018), which seeks access arrangements are safe and suitable for all people. Nor did the Inspector find harm to policy T2 (Parking) of the emerging Local Plan, which seeks parking arrangements that are safe and functions satisfactorily.
Mrs H Flint	Permission in Principle: Erection of up to four dwellings	Land West Of Pirton Road Holwell SG5 3SS	20/02359/PIP	Appeal Dismissed on 30 December 2021	Delegated	The Inspector stated that they do not consider the development to be 'infill within' the built core of the village, given its location on the very edge of the village, where the proposals would result in an extension to the built core of the village. The Inspector therefore

						<p>found the proposals to be contrary to Policy CGB1 of the emerging LP. The Inspector also found harm to emerging LP policy NE1 (Landscape) insofar as it would result in the permanent loss of open countryside with an open rural character, where the policy seeks to protect landscape character. The Inspector also stated that the proposal would result in significant harm to the strategy set out in SP1 (Sustainable Development in North Hertfordshire); T1 (Assessment of Transport Matters) and SP2 (Countryside and Green Belt) and SP8 (Housing) of the emerging LP, which seeks to focus development in sustainable locations with sustainable transport opportunities, including rural villages where key facilities will be supported, operating a policy of restraint elsewhere. The Inspector also found the proposals contrary to policy SP6 (Sustainable Transport) of the emerging LP which supports development in locations which enable sustainable journeys to be made to key services and facilities. Finally, the Inspector considered the proposals to be contrary to the broader spatial strategy of the emerging LP which does not seek to allocate new housing in Holwell, instead</p>
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						focussing development in areas with good public transport links and a good range of day to day facilities.
Mrs H Flint	Permission in Principle: Residential Development of Land for Affordable Housing (five dwellings)	Land South Of Holwell Road Holwell SG5 3SG	20/02520/PIP	Appeal Allowed on 30 December 2021	Delegated	<p>The Inspector stated that they considered delivery of much-needed affordable housing in an area with proven and as yet unmet need attracts significant weight which outweighs the harm associated with the development of this site. There would be further opportunities for the impact of the proposed development to be considered at Technical Details Consent stage and this would include design and landscaping, as well as the means by which the affordable housing could be secured long term.</p> <p>In light of the fact that the proposal is for affordable housing and that there is proven local need for this specific type of housing, the Inspector considered it would be aligned to policy CGB2 (Exception sites in rural areas) of the emerging LP parts (d) and (e). As such the proposed quantum of development is acceptable.</p>