

BERKHAMSTED TOWN COUNCIL



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2nd Floor, Civic Centre
161 High Street, Berkhamsted
Herts HP4 3HD

22nd November 2022

SUMMONS

Notice is hereby given that there will be a meeting of the **Town Planning Committee** in the **Council Chamber, Civic Centre**, Berkhamsted on **Tuesday 29th November 2022** at **7.30 pm**.

The purpose of the meeting is to transact the business set out in the agenda below and you are hereby summoned to attend.

Joanna Harley
Deputy Town Clerk

MEMBERS:

Councillors: G. Stevens – Chair
P. White – Vice Chair
A. Armytage
G. Corry
P. de Hoest
P. Fisher
J. Jones

SUBSTITUTES:

Councillors: R. Freedman
M. Hardinge
A. Foster

Members of the public are invited to attend all meetings of the Town Council.

Should you wish to speak about an item of the agenda at this meeting, please contact the Deputy Town Clerk on 01442 800146 or deputyclerk@berkhamstedtowncouncil.gov.uk by **midday on 29th November 2022**.

Alternatively, you may send in written comments on an any agenda item by email. Please address these to the Deputy Town Clerk at: deputyclerk@berkhamstedtowncouncil.gov.uk by **midday on 29th November 2022**. Any comments received by email will be passed to the Town Planning Committee ahead of the meeting.

Berkhamsted Town Council

AGENDA

Town Planning Committee Meeting

Tuesday 29th November 2022 at 7.30 pm

Council Chamber, Civic Centre, Berkhamsted

TP 188/22 To receive Apologies for Absence

TP 189/22 Declarations of Interest

- i. To **receive** declarations of interest from councillors on items on the agenda;
- ii. To **receive** written requests for dispensations for declarable interests; and
- iii. To **grant** any requests for dispensation as appropriate.

TP 190/22 To receive Minutes of the Previous Meeting held on 7th November 2022 (previously circulated).

TP 191/22 To receive Chair's Communications

1. Road Traffic Orders

- i) THE HERTFORDSHIRE (TEMPORARY CLOSING OF BOURNE ROAD, BERKHAMSTED) ORDER 2022

Papers included within the agenda.

2. Tree Preservation Orders

None have been received.

3. Licensing Applications

- i) Premises Licences

None have been received.

- i) Pavement Licences

To **note** pavement licence received for Alchemy & I.

Papers included within the agenda.

TP 192/22 Public Participation

To suspend Standing Orders to invite public participation on items on the agenda.

TP 193/22 To receive Multi Storey Car Park Updates

TP 194/22 To consider for resolution planning applications relating to the Town of Berkhamsted received from Dacorum Borough Council.

Details of all planning applications and appeals can be found on Dacorum Borough Council's website:

<https://planning.dacorum.gov.uk/publicaccess/>

<i>DBC Reference</i>	<i>Description</i>	<i>Location</i>	<i>Case Officer</i>
22/03059/FHA	AMENDED/ADDITIONAL INFORMATION Two storey side and rear extension	65 Greenway	LMC

DBC Reference	Description	Location	Case Officer
22/03339/FHA	AMENDED/ADDITIONAL INFORMATION Internal Alterations, Single Storey Rear Extension and Two Storey Side Extension, including dormer window to rear (Amended Scheme) Resubmission of granted application 22/02207/FHA	4 Shrublands Road	IBD
22/02628/ROC	AMENDED/ADDITIONAL INFORMATION Variation of condition 2 (approved plans) attached to planning permission 21/03765/FUL (Construction of detached dwelling and associated access.)	21A Hall Park	EP
22/03302/FUL	Replacement of the existing white painted wooden windows, with white conservation style uPVC windows. Replacement of existing white painted fascias and soffits.	Deans Lawn, Chesham Road	LB
22/03062/FHA	Replacement of old rotten coach door with modern and oak gate	Milton Cottage 287 High Street	JM
22/03244/FHA	Replacement roof / increased roof pitch to accommodate a second floor	Deerhurst Lodge, Ivy House Lane	NQ
22/03292/FHA	Proposed single storey rear extension and front porch	3 Bulbourne Close	NQ
22/03296/FHA	Installation of a detached timber outbuilding	7 Beech Drive	NQ
22/03303/FHA	Single Storey Rear Extension, installation of roof lights	16 Cowper Road	RF
22/03325/FHA	Addition of rear elevation dormers to 2 storey side extension and single storey rear extension with open sided porch	25 St Margarets Close	JM
22/03345/FHA	Loft conversion with rooflights, gable window and ground floor bi-fold door. Addition of dormer window.	26 Sheldon Way	JM
22/03387/FHA	Single storey rear extension, loft conversion and 2no. new rooflights	5 Beechcroft	LB
22/03419/FHA	Two storey side extension, single storey rear extension with single storey entrance porch	1 Egerton Road	NQ
22/02927/ADV	Replacement of rotten wooden sign with powder-coated aluminium sign.	St Peters Court House, Church Lane	HE
22/03073/LDE	Existing garden room	5 Hazel Road	NG
22/03350/LDP	Proposed loft conversion, roof alteration, rear dormer projection and alterations	23 Greenway	BC
22/03358/LDP	Loft Conversion consisting of Rear dormer and 5 Velux windows	44 Elizabeth II Avenue	IBD

DBC Reference	Description	Location	Case Officer
22/03409/LDP	Proposal for a garden building to be used as a home office and family garden space	34 Kitsbury Road	LMC
22/03131/RET	Retention of a replacement of the front bay window and the entrance door.	85-87 High Street	LB
22/03352/TCA	Works to trees	39 Kitsbury Road	LMC

TP 195/22 Planning Appeals

To **note** the below received planning appeal:

- 4 Lombardy Drive

TP 196/22 Planning Inspectorate Appeal Decisions

To **note** the below received appeal decision:

- Chertford, 126 Cross Oak Road

TP 197/22 Dacorum Borough Council Planning decisions

To **note**.

Schedule included within the agenda.

TP 197/22 – Dacorum Borough Council Planning Decisions

Reference	Description	Location	Date	BTC Response	DBC Response	DBC Input Date	Appeal	Decision	Amended
22/01923/LBC	Internal alterations to part boiler house and new floor finish in main hall.	Ashlyns School Chesham Road	01/08/2022	No objection	Granted	14/11/2022			
22/02370/FHA	Creation of new parking space	72 Kings Road	28/09/2022	Concern	Granted	14/11/2022			
22/02675/FHA	Proposed new ground floor layout, construction of single storey front extension with platform lift access and new ground floor bedroom with ensuite.	162 Bridgewater Road	28/09/2022	No objection	Granted	14/11/2022			
22/02692/TCA	Works to tree	54 Shrublands Avenue	28/09/2022	Refer to T&W Offr	No Objection	14/11/2022			
22/02712/FHA	Extension of existing raised terrace and decking at rear and side of property including railings. Installation of two external air conditioning units.	2D Station Road	28/09/2022	No objection	Granted	14/11/2022			
22/02563/FHA	Two storey rear extension	147 George Street	28/09/2022	Objection	Refused	22/11/2022			
22/02779/TPO	Works to tree	5 Greystoke Close	28/09/2022	Refer to T&W Offr	Granted	14/11/2022			
22/02720/LDP	Loft conversion, front facing velux roof lights	Green Bank Gossoms End	28/09/2022	Noted	Granted	14/11/2022			
22/02807/FHA	Front extension of the existing utility on the side. First-floor side extension set back from the front elevation, with skylights.	39 Hazel Road	28/09/2022	No objection	Granted	14/11/2022			
22/02802/FHA	Replacement of single glazed timber sash windows to the front elevation and rear elevations, with new double glazed hardwood sash windows painted white	49 Charles Street	28/09/2022	No objection	Granted	14/11/2022			

Reference	Description	Location	Date	BTC Response	DBC Response	DBC Input Date	Appeal	Decision	Amended
22/02834/FHA	Demolition of existing rear porch and single storey side extension. Construction of single storey extension and refurbishment of existing property. Installation of new side window[s] to the existing front elevation projecting bay-structures at ground floor level.	Evergreen House 24 North Road	28/09/2022	No objection	Granted	14/11/2022			
22/02789/FHA	Garage Conversion	St Wilfreds Shootersway	28/09/2022	No objection	Granted	14/11/2022			
22/02890/FHA	Single storey rear extension	17 Ashridge Rise	10/10/2022	No Objection	Granted	22/11/2022			
22/02897/TCA	Tree works	16 Montague Road	10/10/2022	Refer to T&W Offr	No Objection	14/11/2022			
22/02904/FHA	Single storey rear and two storey rear extension. Single storey link extension and garage conversion, side facing windows to the flank elevation.	Arewa, Shootersway	10/10/2022	No objection	Granted	14/11/2022			
22/02923/FHA	Rear dormer roof	7 George Street	10/10/2022	No objection	Granted	27/11/2022			
22/02973/LBC	Lowering threshold of existing rear bay window doors and replacement of existing modern timber doors with new. Lower internal floor level of existing annex	103 High Street	10/10/2022	No objection	Granted	14/11/2022			
22/03039/TCA	Fell and works to trees	11 Park Street	09/11/2022	Refer to T&W Offr	No Objection	22/11/2022			
22/03172/TCA	Works to and felling of trees	78 Cross Oak Road	09/11/2022	Refer to T&W Offr	No Objection	14/11/2022			

HERTFORDSHIRE COUNTY COUNCIL

**THE HERTFORDSHIRE (TEMPORARY CLOSING OF BOURNE ROAD,
BERKHAMSTED) ORDER 2022**

NOTICE is given that the Hertfordshire County Council intends to make an Order under Section 14(1) of the Road Traffic Regulation Act 1984, to prohibit all vehicular traffic from using that length of Bourne Road, Berkhamsted from its junction with Ashridge Rise north eastwards for a distance of approximately 57 metres ("the Road"), except for access.

An alternative route will be via Ashridge Rise, Durrants Road and Bourne Road.

The Order is needed because electrical repair works are proposed to be executed near the Road.

If the Order is made, it shall come into force on 9 January 2022 for a period of up to 18 months. However, the restrictions specified shall only take effect at the times indicated by signs on or near the Road.

A copy of the proposed Order may be inspected free of charge at County Hall, Hertford between the hours of 9.00am and 5.00pm (excluding weekends, bank and public holidays).

If you have any queries about the proposed Order, please contact Shannon Lummis tel. 0330 016 9696 at MLP Traffic or Ben Crabbe tel. 0300 123 4047 at Hertfordshire County Council.




County Hall
Hertford
Herts
SG13 8DN

14 December 2022
Mark Kemp
Executive Director
Environment & Transport



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	Road Closure
	Diversion
	Access Only

TEMPORARY TRAFFIC REGULATION ORDER

Bourne Road, Berkhamsted



[M055428] Consultation – application for Pavement Licence

Our reference: M055428

**Business and Planning Act 2020 – part 1
Application for Pavement Licence**

An application has been made to Dacorum Borough Council for a new Pavement Licence, as follows:

Applicant(s):	Alchemy & I Ltd
Business name:	Alchemy & I
Premises address:	140 High Street Berkhamsted Hertfordshire HP4 3AT
Ward:	Berkhamsted Castle
Premises unique ID:	1641 (Civica APP reference only)
Premises UPRN:	200004058558
Application date:	15 November 2022

Proposed trading hours for pavement area:

Monday:	09:00 until 20:00 hours
Tuesday:	09:00 until 20:00 hours
Wednesday:	09:00 until 20:00 hours
Thursday:	09:00 until 20:00 hours
Friday:	09:00 until 20:00 hours
Saturday:	08:30 until 20:00 hours
Sunday:	09:00 until 16:00 hours

Furniture proposed to be used:	Number proposed:
• Counters or stalls for selling or serving food or drink:	0
• Tables (or similar)	4
• Chairs, benches or other seating	10
• Umbrellas	0
• Barriers	6
• Heaters	0
• Other	

If granted, a Pavement Licence would allow the business to temporarily place removable furniture on part(s) of the public highway adjacent to their premises, for the purposes of selling, serving or enabling the consumption of food and drink supplied in the course of their business. Businesses entitled to apply for licences include public houses, wine bars, other drinking establishments, or other premises which sell food or drink for consumption on or off of those premises.

These measures are part of the Government's COVID-19 response and any licences granted would cease to have effect on the 30th September 2023.

Should you hold any information which you believe should be taken into account when we determine this application, or otherwise wish to comment on or object to this application, please send your comments along with any applicable supporting evidence, to licensing@dacorum.gov.uk, quoting the reference number **M055428**, no later than the end of the 7th day after the above application date.

When determining this application, the local authority must:

- have regard to any guidance issued by the Secretary of State;
- take into account any representations from members of the public, the highways authority, or other consultees received during the prescribed consultation period;
- consider whether, taking into account any standard conditions applying to such licences, there would be one of the following effects:
 - preventing non-vehicular traffic from entering the relevant highway at a place it would usually do so, from passing along the relevant highway, or having normal access to premises adjoining the relevant highway;
 - preventing any use of vehicles otherwise permitted by pedestrian planning order, or not prohibited by a traffic order;
 - preventing statutory undertakers or electronic communications code network operators from accessing any apparatus under, in or over the highway;
- determine within 14 days of the application date whether to grant a licence in full or in part, or reject the application (failure to do so will result in the deemed grant of a licence).

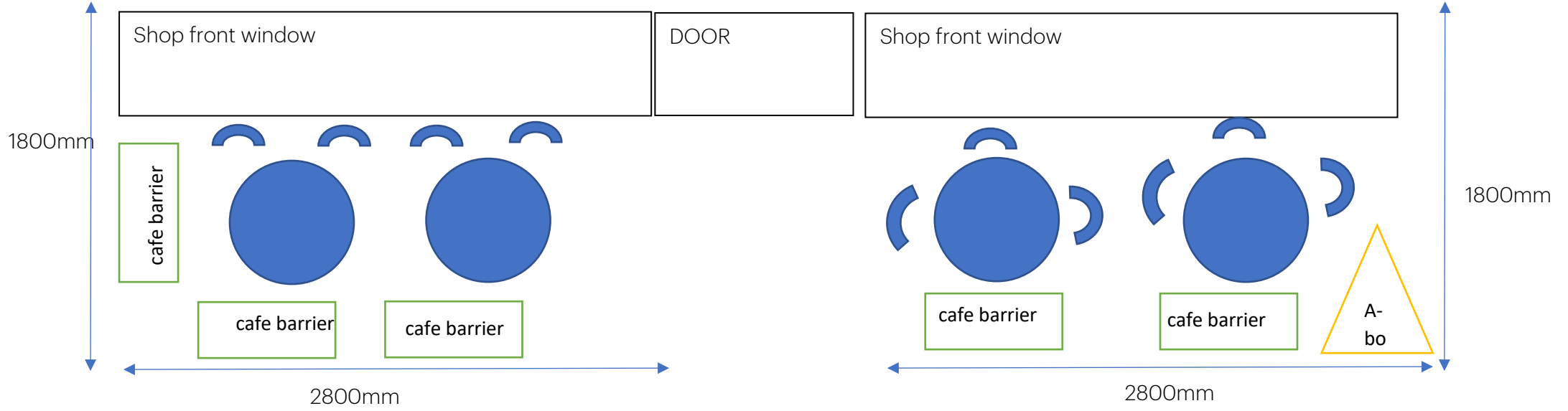
By virtue of section 7 of the Act, if a licence is granted, it will:

- authorise the restriction of public access to the part of the relevant highway to which the licence relates (notwithstanding any 'no obstruction' conditions as may apply);
- constitute deemed planning permission for the authorised activities for the duration of the licence;
- remove the need to obtain a street trading permission for the authorised activities;
- remove the LA's power to require that a licence-holder applies for permission under Part 7A of the Highways Act 1980 for the authorised activities (although a licence-holder may still choose to apply of their own volition for such permission – however, any such permission granted subsequent to the pavement licence shall have no effect so long as the pavement licence remains in force);
- any undetermined application made under s.115E of the Highways Act 1980 shall be treated as withdrawn.

Please be aware that there are consequential amendments to the Highways Act 1980 and the Town and Country Planning Act 1990 made by s. 7(6)-(8) of this Act.

Should you have any enquiries or require further information regarding this application, please contact me on 01442 228860 or by emailing licensing@dacorum.gov.uk.

Thank you.



cafe barrier design
990mm; 800x850 mm

Date: 8th November 2022
Officer: Laura Bushby
Phone:
Email: laura.bushby@dacorum.gov.uk
Reference: 22/00052/REFU



Parish/Town Council

The Forum
 Marlowes
 Hemel Hempstead
 Herts
 HP1 1DN
 Switchboard
 01442 228 000
 Website
www.dacorum.gov.uk
 D/deaf callers, Text Relay:
 18001 + 01442 228 000

Appeal At:	4 Lombardy Drive Berkhamsted Hertfordshire HP4 2LG
For:	Single and part two storey front extension and alterations
LPA Ref:	22/02066/FHA
PINS Ref:	APP/A1910/D/22/3306349

Dear Sir/Madam,

The applicant has appealed to the Secretary of State against the Council's refusal of planning permission for:-

Single and part two storey front extension and alterations

This appeal is being dealt by the householder fast track process and will be decided by a Planning Inspector appointed by the Secretary of State. The fast track process does not offer an opportunity for interested parties to comment at appeal stage.

If you made any comments on the original application for planning permission (unless they were marked confidential), the Council will send them to the Planning Inspectorate (PINS). Your comments will be taken into account by the Inspector unless they are subsequently withdrawn.

If you would like to see details of the Council's decision and the applicant's reasons for appealing, they are available for inspection on the Local Planning Authority's (LPA's) website (<https://planning.dacorum.gov.uk>). Search for the LPA reference number: 22/02066/FHA and click on 'Related Cases' to view the appeal documents.

Yours sincerely,

Development Management
 Dacorum Borough Council



Appeal Decision

Site visit made on 27 September 2022

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 November 2022

Appeal Ref: APP/A1910/W/22/3294476

Land to the rear of Chertford, 126 Cross Oak Road, Berkhamsted HP4 3NA

- 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 Oakleaf Development Limited against the decision of Dacorum Borough Council.
 - The application Ref 21/02639/FUL, dated 10 June 2021, was refused by notice dated 6 December 2021.
 - The development proposed is the erection of 2 no. detached dwellings.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. With the appeal the appellant submitted an amended site context plan¹ to correct inaccuracies in the equivalent plan² on which the Council made its decision. The amended plan would not materially alter the nature or description of the development. Having regard to the 'Wheatcroft Principles'³ it would not cause prejudice to any party. I have, therefore, taken the amended plan into account in determining the appeal.
3. During the appeal Natural England issued advice about the effect of residential development on the Chilterns Beechwoods Special Area of Conservation. The main parties were given an opportunity to comment in this regard. I have determined the appeal in light of comments received and deal with this consideration in the second 'main issue' below.
4. At the written request of the occupiers of these houses, my site visit included an assessment of the proposal from the front and rear gardens of Pentire, the rear garden and some rooms of Chertford and the rear garden of Winsford.

Main Issues

5. These are:
 - the effect of the proposal on the character and appearance of the area; and
 - its effect on the Chilterns Beechwoods Special Area of Conservation.

¹ Drawing number 03-02-001

² Drawing number 20/073-074/201 Rev A

³ *Bernard Wheatcroft Ltd v SSE* [JPL 1982 P37]

Reasons

Character and appearance

6. The appeal site is at the end of the rising back garden of Charayana⁴ and rising land beyond the end of the back garden of Chertford that was formerly part of this property. These are large, detached houses with long rectangular shaped, mainly open, landscaped rear gardens. They are in a row of similar houses and gardens close to and along one side of Cross Oak Road in a residential suburb of Berkhamsted. This low density housing in large, spacious, verdant plots is locally distinctive. It is proposed to erect two houses, one each behind Charayana and Chertford.
7. However, the houses would be inserted into a pocket of open land in a backland position. Plot 1 would significantly reduce the length and area of the back garden and plot size of Charayana. Plot 2 would permanently reinforce the diminution in the size and shape of the back garden and plot of Chertford that has already occurred. The houses would be modest in footprint and size, centrally placed within small, broadly squarer shaped plots. Despite a staggered arrangement, they would appear cramped in relation to the site area and shape and interrupt and erode the integrity of the mainly intact corridor of open land behind this row of houses.
8. Even if some or all of the site level was lowered, the houses would still be in an elevated position. As such, although subservient in height and bulk to Charayana and Chertford there would be appreciable built form on the site where there is presently none. A significant part of both houses would be visible in upward views through the wide gap between Charayana and Chertford and angled across these back gardens. Despite the distance from the road the houses would be conspicuous and have a stark, incongruous presence against background trees. Some intervening trees would partially screen the house on plot 1 but not all year round and some are not in the appeal site so could be removed. The houses would also be unexpected in views from a public footpath along the rear boundary of the site and intrude into this largely undeveloped swathe of rear gardens that line both sides of it.
9. A dwelling at Brambleway House lies behind this row of houses but unlike the site, at one end not in the middle. It has limited visual presence in the Cross Oak Road streetscene due to a longer set back and relates more to a cluster of dwellings next to it in Marlin Copse. The proposal would, therefore, be manifestly out of keeping with the prevailing size, form, layout, pattern and sequence of residential development along the appeal site side and this part of Cross Oak Road and would be appreciated as such in public views.
10. Plot subdivision and tandem development behind a similar row of houses along the opposite side of Cross Oak Road has increased housing density within that discrete pocket of land. The ratio of building site coverage in the proposal would be less than at most of these infill plots and within the upper and lower range of density that exists generally in the area. However, these dwellings are sited further back from the road and nestle into a hollow of land behind the frontage houses with a more pronounced belt of front garden or roadside trees and hedgerow. They are not unduly conspicuous or incongruous in the streetscene, with no meaningful visual or spatial relationship to the appeal site.

⁴ Shown as Dunclutha in the submitted plans

Many of these new dwellings are also more comparable in floorplan or size to their respective frontage dwellings and the generally longer original back gardens has allowed some semblance of parity in the resulting plot sizes. Other tandem development in the wider locality has no visual or spatial relationship to the appeal site, including the tighter grain of residential development behind the site in Crossways.

11. Taking all of the above into account, I find that the proposal would cause unacceptable harm to the character and appearance of the area. Consequently, it conflicts with Policy CS12(f) and (g) of the Dacorum Core Strategy 2013 (CS). This policy includes that development should integrate with streetscape character and respect adjoining properties in terms of layout, site coverage, scale, height and bulk. It would also fail to comply with relevant advice about the layout and design of residential areas contained in saved Appendix 3 of the Council's Local Plan 2004.

Chilterns Beechwoods Special Area of Conservation (SAC)

12. The appeal site is within a zone of influence of the SAC and its important habitat of Beech forests on neutral to rich soils, semi-natural dry grasslands and scrubland facies on calcareous substrates and dry grasslands and scrublands on chalk or lime. A significant individual or in-combination effect on this European habitats site would be likely to occur due to disturbance from increased population arising from residential development in an area where these inhabitants would be in such proximity to the SAC that they would be likely to visit it for recreational purposes.
13. The Council is working with Natural England (NE) to adopt a strategic mitigation strategy. This might include Strategic Access Management and Monitoring (SAMM) or Suitable Alternative Natural Greenspaces (SANG) with financial contributions or the provision of land secured by a planning obligation. Significant work remains to be done by the Council in this regard, including liaison with NE and other affected Councils, and timescales are uncertain. In the meantime NE advises that residential development requires individual habitats regulations assessment (HRA) and must demonstrate how adverse impacts on the integrity of the SAC would be avoided by appropriate mitigation.
14. I appreciate that this issue has emerged during the appeal process. Nevertheless, the appellant has not submitted an HRA, nor proposed any details of specific mitigation and there is no planning obligation before me.
15. I have considered whether a negatively worded planning condition could be imposed to limit the development that can take place until a suitable planning obligation or other agreement has been entered into to secure mitigation, including a SAMM payment, as suggested by the appellant. However, Planning Practice Guidance (PPG) sets out that this is unlikely to be appropriate in the majority of cases. In this case, I do not know precisely what mitigation measures a condition might lead to, including the scale of any SAMM payment. I therefore cannot be sure that future mitigation would be appropriate and relevant to the development to be permitted, reasonable and enforceable or therefore meet all of the tests set out in the Framework and relevant PPG advice.

16. In these circumstances, based on the limited or incomplete information before me, as the competent authority in this appeal I am unable to undertake an appropriate assessment, which would also necessitate consultation with NE. As a result, I cannot be certain that the proposal would not harm the nature conservation interest of the SAC. I therefore find that the proposal would adversely affect the integrity of the SAC. Consequently, it conflicts with CS Policy CS26 which seeks to protect designated habitats sites.

Other Matters

Other interested party comments

17. Planning conditions could restrict future enlargement of the proposed dwellings in size or number of bedrooms. That the proposal may rely on land that is not owned or controlled by the appellant, including for the proposed means of access and visibility splays, is a private matter between the respective parties. Even if the existing access does not have planning permission the Highway Authority did not object to the proposed means of access. The photographic and other evidence about surface water flood risk is limited or mainly anecdotal in nature and there is no objection from Thames Water or the Council.
18. I have been referred to the living conditions of the existing occupiers of nearby dwellings, including Charayana and Chertford, and to the living conditions of future occupiers of the proposed houses. However, these matters are not determinative in this case so would not affect my decision or the outcome of the appeal.

Planning Balance

19. While the extent of shortfall is not in evidence, there is agreement that the Council cannot currently demonstrate a 5-year supply of deliverable housing sites. As a result, paragraph 11 d) of the Framework is engaged. However, in this appeal the application of policies in the Framework that protect areas of particular importance (habitats sites) provide a clear reason for refusing the development. Accordingly, by virtue of Framework paragraph 11 d) i) the presumption in favour of sustainable development does not apply in this case.
20. In terms of benefits, providing two houses of this size and type would make a modest contribution to housing supply and be aligned with objectives of the Framework to significantly boost the supply of homes and meet specific housing needs. Even if the extent of housing supply shortfall is acute, commensurate with the scale of the proposal the social, economic and environmental benefits associated with building and occupying the houses are factors which I consider carry moderate weight in favour of the proposal.
21. The site is in an area where residential development is accepted in principle and it is not in a conservation area. The houses would be high quality with appropriate external materials and provide suitable internal living accommodation. Subject to conditions, there would be satisfactory landscaping, biodiversity enhancement on the site, a suitable means of access, sufficient car and cycle parking, appropriate provision for surface water and foul drainage and for the storage and collection of refuse and recycling and no impact on the road network. The absence of harm in these regards and compliance with the Council's development plan or the Framework are neutral factors in my decision.

22. The Framework recognises that small windfall sites, efficient use of land and optimal density of development in urban areas can make an important contribution to meeting housing requirements. However, it also seeks to achieve well-designed places and conserve the natural environment. The proposal would not add to the overall quality of the area or be visually attractive in layout. It would not be sympathetic to local character or maintain a strong sense of place using the arrangement of spaces and building types to create distinctive places to live or visit. Nor would it conserve or protect a site of biodiversity value and interest in a manner commensurate with its statutory status.
23. The proposal would conflict with the Council's relevant development plan policies in these respects. These are consistent with aims of the Framework to balance meeting housing needs with these other objectives of sustainable development. These are important factors against the proposal and accordingly I give substantial weight to each of them.
24. The adverse impacts of the proposal would, therefore, outweigh the limited benefits.

Conclusion

25. The proposal would not accord with the development plan overall. There are no other material considerations, including the provisions of the Framework, which outweigh this finding.
26. Therefore, for the reasons given above the appeal does not succeed.

Robin Buchanan

INSPECTOR