

6. APPEALS UPDATE

6.1 APPEALS LODGED

Appeals received by Dacorum Borough Council between 16 September 2024 and 31 December 2024.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	23/02876/MPI	W/24/3352742	Cuthbert Mayne School, Clover Way, Hemel Hempstead	Hearing
2	24/01556/FHA	D/24/3352868	4 Chaulden Terrace, Hemel Hempstead	Householder
3	23/01138/FUL	W/24/3353398	Ferrers Hill Farm, Pipers Lane, Markyate	Hearing
4	24/01352/FHA	D/24/3353831	13 Marchmont Green, Hemel Hempstead	Householder
5	24/00787/FUL	W/24/3354130	End Oak, Water Lane, Bovingdon	Written Representations
6	24/01432/FHA	D/24/3354212	Ashlyns Farm Cottage, Chesham Road, Berkhamsted	Householder
7	24/02035/LDP	X/24/3354465	115 Long Chaulden, Hemel Hempstead	Written Representations
8	24/00157/FUL	W/24/3355387	Mollcroft, 69 Hempstead Lane, Potten End	Written Representations
9	24/02112/UPA	D/24/3357369	Cherry Tree Cottage, Long Lane, Bovingdon	Householder
10	24/01958/RET	D/24/3357472	Roseheath Wood, Bulbeggars Lane, Potten End	Householder
11	24/01718/FHA	D/24/3357556	Frith, Chesham Road, Wigginton	Householder
12	24/00330/MFA	W/24/3358032	Haresfoot Farm, Chesham Road, Berkhamsted	Hearing
13	24/00747/OUT	W/24/3358069	40 Tower Hill, Chipperfield	Written Representations
14	24/00781/FUL	W/24/3358181	1 Dale End, Box Lane, Hemel Hempstead	Hearing

6.2 PLANNING APPEALS DISMISSED

Planning appeals dismissed between 16 September 2024 and 31 December 2024.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	24/00665/FHA	D/24/3344620	31 Cemetery Hill, Hemel Hempstead	Householder
	Date of Decision:		23/09/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3344620			
	Inspector's Key conclusions:			
	<p>The development proposed is a single storey front extension</p> <p>Whilst the street has a mix of building types it nevertheless has a coherent character, derived from the uniformity within groups of buildings, each resulting from different phases of its development.</p> <p>In extending the existing 'catslide' roof and front projection to the side, the appeal proposal would erode the symmetry between the appeal property and No33, significantly injuring the current visual balance. Its height and width would combine with its location at the front of the property to make it highly prominent in the street. This in turn would harmfully undermine the uniformity and cohesion of the group of six homes the appeal property is part of and, by extension, weaken the contribution the group makes to the street. The proposal would harm the character and appearance of the appeal site and local area.</p> <p>In relation to the proposed extension, the nearest window is in the ground floor, front elevation at No29 (the window). It serves a habitable room, and the proposed extension would infringe upon a 45-degree angle line taken from it. The window is already prevented from receiving direct sunlight by a combination of its north-facing aspect and the front projection at No29, but it nevertheless benefits from diffuse natural light. It is the only source of natural light to the room it serves.</p> <p>Though the extension would reduce downwards towards the front, it would be a substantial addition which, due to its height and proximity to the boundary, would harmfully reduce the amount of diffuse light to the window at No29. Through its height and proximity to the boundary, the appeal proposal would severely impinge upon north-westerly outlook, and create a pronounced sense of enclosure for No29. This would be exacerbated by the appeal property occupying higher ground. The proposed extension would be substantially taller than the existing boundary fence between the appeal site and No29 and, as such, introduce substantial reductions in light and outlook over and above any associated with the fence. For the reasons set out above, the proposal would harm the living conditions of the occupants of No29 with particular reference to light and outlook.</p>			

No.	DBC Ref.	PINS Ref.	Address	Procedure
2	23/02816/FHA	D/24/3340643	Little Oaks, Darrs Lane, Northchurch	Householder
	Date of Decision:		25/09/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3340643			
	Inspector's Key conclusions:			
	<p>The development proposed is demolition of existing side extension and detached garden room, construction of new side and rear extensions, with associated internal alterations.</p> <p>The appeal site lies within the Green Belt. The proposed development would enlarge the existing property by adding a large, two-storey extension to the rear, which would project many metres beyond the back wall of the existing property. Given its depth, width and height, the proposal would add significant bulk and mass to the host building. Furthermore, the floorspace of the proposed development would be substantially larger than the host building, almost doubling the size of the internal living accommodation. It is clear that the proposed development would substantially increase the size of the dwelling, such that it would amount to a disproportionate addition to the original building. I conclude that the proposal would be inappropriate development in the Green Belt.</p> <p>Openness can be perceived visually and spatially. Whilst there would be some minor alterations to the street-facing elevation, the bulk of the additional built form would be sited to the rear of the host property, which is well-screened from longer views by trees and boundary treatments. However, the development would be observed in closer views from neighbouring properties, over the boundary fencing and through gaps in the trees. Given that the proposal would occupy space that is mostly undeveloped, there would be minor harm to openness in visual terms, albeit at a localised level. Due to its width, depth and height, the addition would be a substantial structure that would occupy a part of the garden that is largely devoid of buildings. It would therefore have a modest but deleterious effect on the spatial openness of the appeal site. It follows that the proposal would not preserve the openness of the Green Belt. The harm to openness would be in addition to the inappropriateness of the proposal.</p> <p>At two storeys high, and given its depth and proximity, the side wall of the proposal would be an imposing structure that would partially block views across gardens and upwards towards the sky from the rear windows and garden of Hillcrest. Instead, views from Hillcrest would be towards the side wall of the proposed extension which, other than one small window, would be a largely blank façade. Consequently, the proposed development would be unduly dominant in the outlook from the neighbouring property to the degree that it would cause harm to the living conditions of its occupants. There would be no undue harm arising to the living conditions of the occupants of Hillcrest through the loss of sunlight or daylight.</p>			

	There are no very special circumstances before me that indicate this inappropriate development should be approved.			
No.	DBC Ref.	PINS Ref.	Address	Procedure
3	24/00484/FUL	W/24/3343926	16 Park Road, Hemel Hempstead	Written Representations
	Date of Decision:		07/10/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3343926			
	Inspector's Key conclusions:			
	<p>The development proposed is change of use of private hard standing into private green space and erection of new fence line.</p> <p>The appeal proposal would change the use of the hardstanding, incorporating it within the residential curtilage of the appeal site dwelling. It would enclose the area with a new boundary hedge of similar height to the current garden fence, leaving the outermost edge as a footpath. Whilst tall hedges are reasonably common in the wider area, they are not a feature of the Close. As such, even if the hedge was attractive and well-maintained it would appear incongruous in the immediate setting. Moreover, and irrespective of the extent to which the hardstanding is used for parking, social events, and children's play, enclosing it as proposed would harmfully erode the openness of the Close and undermine the communal character of its central area. For the reasons set out above the appeal proposal would be harmfully at odds with the character and appearance of the area.</p> <p>The hardstanding is large enough to offer a range of options in these, or similar, respects and, critically, is land over which the Highway Authority already has rights; this significantly enhances the prospect of sustainable transport facilities being provided there. Any such facilities would likely be modest in size, and not erode the open character of the Close to an extent comparable to the appeal proposal. In all, the proposed development would frustrate an otherwise feasible opportunity to provide sustainable transport options in future.</p> <p>Should a suitable means of enclosure not be provided, both the enlarged rear garden and the rear doors and windows of the appeal property would be directly overlooked over a short distance from the public highway, which is on higher ground. This would significantly erode levels of privacy at the appeal site, both inside the rear, ground floor parts of the appeal property, and in the rear garden. The proposed boundary planting has not been shown to be reliable in ensuring adequate levels of privacy for occupants of the appeal site.</p> <p>The proposal would retain a kerb some 1.2m wide at its narrowest and, as such, provide a safe walkway for pedestrians. Given the hardstanding already offers a larger, safe walkway, I attribute minimal weight to this benefit.</p>			

No.	DBC Ref.	PINS Ref.	Address	Procedure
4	23/00988/FUL	W/24/3345253	Martlets, The Common, Chipperfield	Written Representations
	Date of Decision:		14/10/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3345253			
	Inspector's Key conclusions:			
<p>The development proposed is the replacement of approved parking area to the side of the dwellings with new parking area to the front.</p> <p>The appellant has suggested that the exception set out in paragraph 154(c) of the Framework, which concerns the extension or alteration of a building may apply. However, overall, the proposed introduction of three car parking spaces would not involve the extension or alteration of a building. Rather, the creation of the parking area and associated works, including the cross-over would involve an engineering operation.</p> <p>As a result, it is necessary to consider whether the proposal would preserve openness. In spatial terms the creation of the three parking areas with a gravel finish in a crate grid system would result in the introduction of a development in the largely undeveloped front garden area which would reduce openness. Further, the removal of a section of the existing picket fence, the creation of a cross-over, the introduction of the parking area as well as the introduction of parked vehicles in the front garden area would visually impact the openness of the area. As a result, spatially and visually the introduction of the proposed development would cause significant harm to openness. I therefore find the proposal amounts to inappropriate development within the Green Belt which would cause significant harm to openness. Further, the proposal would conflict with the purposes of including land within the Green Belt.</p> <p>The introduction of the parking area and any associated parked vehicles to the front of the appeal property would unacceptably diminish the existing spacious appearance of the front garden which would harmfully impact the character and appearance of the area. Moreover, the proposal would result in the erosion of the important visual break between the appeal property and the existing parking area which again would unacceptably harm the existing character and appearance of the area and would neither preserve nor conserve the Chipperfield Conservation Area (CCA). It follows that the development would not preserve the significance of the CCA which is a designated heritage asset.</p> <p>I have also taken account of the fact that the existing approved parking area to the side of the appeal site would be replaced by the proposal. However, the existing area is tucked away to the side of the appeal property and is screened by close boarded fence and a gate. As a result, notwithstanding that the existing parking area is larger than proposed, the proposal would be in a much more visually prominent location and consequently the impact would be materially more harmful than the existing situation.</p>				

<p>I therefore conclude that the development would harm the character and appearance of the area and would fail to preserve and conserve the CCA.</p> <p>I have afforded some considerations weight as outlined above, including significant weight to the fall-back position. However, I have also ascribed substantial weight to the harm the proposal would have on the Green Belt and great weight to the harm the proposal would have on the Chipperfield Conservation Area. It follows that overall, the other considerations do not clearly outweigh the harm by reason of inappropriateness, and the other harm I have identified so as to amount to the very special circumstances required to justify the development.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
5	23/02835/FUL	W/24/3338670	The Coach House, 2 And 4 Water End Road, Potten End	Written Representations
Date of Decision:			15/10/2024	
Link to full decision:				
https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3338670				
Inspector's Key conclusions:				
<p>The development proposed is the erection of 2no. detached car ports and ancillary works.</p> <p>The appeal site is located within the Green Belt. The proposal is for two car ports that would be located to the front of the existing dwellings and be physically detached. Having regard to case law the fact that the car ports would be physically separated from the main dwellings does not prevent them from being an extension. It is a matter of fact and degree in each case and for the appeal before me it is clear that the car ports would have a close relationship and be used in connection with the main dwellings, and I therefore find the proposed development would represent an extension of the dwellings.</p> <p>The proposed car ports are modest in size and would represent an increase in footprint by 15%. I note that they have been reduced in size from previous schemes and can store two cars, which would be proportionate with the modest size of the dwellings. For the above reasons, I conclude that the proposed development would not be inappropriate development in the Green Belt.</p> <p>The car ports would be located close to the front elevations of the dwellings; however, they would still be an obvious addition to the front which would be at odds with the prevailing open frontages that are character of the area. The closeness to the existing built form would also result in a cluttered frontage. Therefore, the car ports would be jarring features that would erode the open character and appearance of the area. I therefore conclude that the proposal would unacceptably harm the character and appearance of the area.</p>				

No.	DBC Ref.	PINS Ref.	Address	Procedure
6	23/00413/FUL	W/23/3328678	Land East of Cyrita, Hogpits Bottom, Flaunden	Written Representations
	Date of Decision:		15/10/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3328678			
	Inspector's Key conclusions:			
<p>The development proposed is erection of dwelling.</p> <p>The limited width of the plot for the majority of its length is incongruous with nearby developed plots which are generally wider and regular in shape. Although the proposed dwelling would be set in somewhat from the side boundaries, it would nonetheless occupy much of its width. While other properties in the locality also do this, the fact those plots are wider maintains the spacious character of the area. The narrow width of the plot would be made apparent by the proposed dwelling occupying much of its width despite being markedly smaller than the surrounding dwellings. The overall limited proportions of the proposed dwelling would also emphasise the contrast between the appeal proposal and the prevailing character of the surrounding area of much larger dwellings and plots. It would appear as a cramped addition in the street scene.</p> <p>The proposed dwelling would have a modern appearance with the large glazed front elevation and a triangular window at first floor level. At my site visit, I observed a number of different designs and appearances of dwellings. This included some with modern finishes and large expanses of glazing. The installation of the vehicular access would require the removal of some of the hedgerow. However, suitable landscaping along the front boundary could be secured by condition. Taken in isolation of the issues I have identified above, the design and scale of the proposal would be acceptable. However this is to be expected of well-designed development and would be neutral in my assessment.</p> <p>Given the above, I conclude that the proposal would have an adverse effect on the character and appearance of the area.</p> <p>I...cannot conclude that the proposed development would not have an adverse effect on the integrity of the SAC.</p> <p>The Council's officer report confirms that the proposal would be not inappropriate development in the Green Belt as it would constitute limited infilling in a village as set out in Paragraph 154 e) of the Framework and that there would not be an adverse effect on the openness or purposes of the Green Belt. I concur, rendering this neutral in my assessment.</p> <p>There is no indication before me of the extent of the Council's shortfall in the supply of housing land or the steps it is taking to address this. However, given the shortfall in supply, paragraph 11d of the Framework is engaged. My findings in respect of the SAC means that there are policies in the Framework</p>				

	that provide a clear reason for refusing the development proposed. Therefore, under Paragraph 11d)i of the Framework, the proposal does not benefit from the presumption in favour of sustainable development.			
No.	DBC Ref.	PINS Ref.	Address	Procedure
7	22/02203/DRC	W/24/3342616	Land to the Rear of 49-53 High Street, Northchurch	Written Representations
	Date of Decision:		23/10/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3342616			
	Inspector's Key conclusions:			
	<p>[This appeal decision was conjoined with appeal W/24/3342617, which was part allowed].</p> <p>The application Ref 22/02203/DRC sought approval of details pursuant to condition No 9 (drainage scheme) of a planning permission Ref 20/02653/ROC.</p> <p>The lead local flood authority (LLFA) have clear reservations about the suitability of the proposed surface water drainage scheme. Concern has been expressed with regard to the calculations used to design the scheme. There is only very limited evidence before me to rebut these concerns, and does not address of the comments made by the LLFA. It is not clear to me how access to maintain the drainage system can be ensured given the extent which is located within the private amenity spaces of a number of the dwellings. The site also lies within a source protection zone. No measures are proposed to mitigate the effects of any pollutants that could enter the system. While the site is a low traffic road with low risk of pollution occurring, that does not mean there would be no risk. There would therefore be the risk of harm to the source protection zone.</p> <p>As a result, I cannot be certain that the surface water drainage scheme would ensure that flood risk would not be increased elsewhere. I therefore cannot be satisfied that the surface water drainage scheme would operate effectively.</p> <p>The application Ref 22/02419/DRC sought approval of details pursuant to condition Nos 6 (Phase one contamination report) and 11 (construction management plan) of planning permission Ref 20/02653/ROC.</p> <p>The appeal site was, at least in part, in use as a garage at the time of the original grant of planning permission. It is typically the case that such sites are likely to be contaminated, but not to the extent that it would be impossible for it to be remediated for residential use. I...conclude that condition 6 is an implementing condition which fundamental to the acceptability of the development. As such, an AA would be necessary before the details in it could be agreed.</p> <p>The site is in an area at medium risk of surface water flooding. This is an important consideration as it has the potential to affect not only the proposed</p>			

<p>development, but the safety of surrounding properties and their occupiers. This is not a peripheral matter in the planning process. It is not uncommon for overarching drainage strategies to form part of application documentation, with specific detail secured by condition. As referred to above, conditions should be considered in their entirety. I am therefore satisfied that condition 9 is an implementing condition and that it too is fundamental to the acceptability of the development.</p> <p>As pre-commencement condition, no.11 would be an implementing condition. However, it is not fundamental to the acceptability of the development, but rather ensures that the short term disruption caused during the construction phase of the scheme is mitigated. Consequently, an AA is not required with respect to condition 11. There is no dispute as to the content of the construction management plan. I have no reason to disagree with this, save for the reference to carrying out the development in accordance with the requirements of the contamination surveys as that is the subject of a separate condition. Subject to this caveat, there is no reason condition 11 could not be approved.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
8	23/01342/ROC	W/23/3334039	Gable End, Sheethanger Lane, Hemel Hempstead	Written Representations
Date of Decision:			23/10/2024	
Link to full decision:				
https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3334039				
Inspector's Key conclusions:				
<p>The condition in dispute is No 1 which states that: The current gable end roof to Gable End shall be hipped in accordance with Drawing 9407-L-00-03 Rev.C within eighteen months of the date of this decision. The main issue is whether the condition is reasonable and necessary in the interests of protecting the openness of the Green Belt.</p> <p>The appellant states that the hipped roof results in a reduction in overall volume of the building of 4.7%. However, this is still a reduction in volume and overall bulk and mass of the building which reduces its prominence. Therefore, the proposal to retain the gable end roof would have a greater negative effect on the openness of the Green Belt.</p> <p>I am mindful of the planning history of the appeal site and the original planning permission. In this regard, without the additional control through condition 1, the removal of this element would not be ensured. As such, the harm that the existing roof causes to the openness of the Green Belt could remain for longer than necessary. The eighteen months allowed through the condition was a generous period of time to carry out the required works and I therefore consider that the condition was reasonable, and necessary in order for the Council to have additional control over the works. Overall, and having considered all other matters raised, I consider the condition is therefore reasonable and necessary in order to protect the openness of the Green Belt.</p>				

No.	DBC Ref.	PINS Ref.	Address	Procedure
9	23/02208/FUL	W/24/3341865	Grove Farm, Puddephats Lane, Flamstead	Written Representations
	Date of Decision:		30/10/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3341865			
	Inspector's Key conclusions:			
	<p>The development proposed is part demolition and part conversion of existing building to create a dwelling with associated landscaping, and demolition of remaining farm building.</p> <p>The development would retain the general form of that part of the building to be converted. The works involved would alter its appearance given the use of render and introduction of extensive glazing to all four walls, where at present no windows exist. Timber cladding and a corrugated metal roof would not by themselves appear out of place in this rural setting. However, the proposed development would appear as a single two-storey house significantly removed from any other building in the area. In this rural setting it would be an incongruous feature and would fail to conserve and enhance the natural beauty of the Chilterns National Landscape. Details of materials could be controlled by imposition of suitably worded conditions if I was minded to allow the appeal. However, this would not be sufficient to overcome the harm identified. The removal of an existing open barn and...landscape improvements...would not be sufficient to offset the incongruous appearance of the proposal. The appeal proposal would be harmful to the character and appearance of the area.</p> <p>As the proposal would involve the small-scale reuse of a permanent, substantial building it would therefore accord with policies CS1 and CS7 of the CS, and the requirements of the Framework relating to rural housing. The appeal site is therefore an acceptable location for the proposed development.</p> <p>The appeal proposal would, on balance, make acceptable provision for the storage and collection of refuse and recycling.</p> <p>The council has a substantial shortfall in its supply of deliverable housing land. [This] add considerable weight to the benefit of delivering even a single new dwelling. However, great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes. This great weight outweighs the benefits that would arise from the appeal proposal in this instance.</p>			
No.	DBC Ref.	PINS Ref.	Address	Procedure
10	23/01041/FUL	W/24/3337359	32A Rucklers Lane, Kings Langley	Written Representations
	Date of Decision:		30/10/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3337359			

Inspector's Key conclusions:	
<p>The development proposed is demolition of existing dwelling and outbuildings. Construction of one 2-bedroom and two 3-bedroom detached houses with associated circulation and landscaped areas.</p> <p>As the proposal is for 3 two-storey houses to replace a dormer bungalow and several single-storey outbuildings, I see no reason to disagree that there would be a greater impact on openness...it would therefore be inappropriate development.</p> <p>The appeal proposal comprises a single house on the Rucklers Lane frontage with 2 detached houses toward the rear of the site. These 2 houses would have flat roofs and in appearance would relate to the neighbouring commercial buildings rather than the houses facing onto Rucklers Lane. They would therefore be out of keeping with the character and appearance of the area, where houses on Rucklers Lane are of similar scale and form, even allowing for their varying detailed design.</p> <p>The proposed houses would be large, boxy buildings sited at the end of the gardens of neighbouring properties, and in this context would be incongruous in the area. The replacement dwelling at the front of the site would be of a size, scale and general appearance in keeping with the Rucklers Lane street scene. This element of the proposal would therefore be acceptable. Nonetheless, the proposed development would overall be harmful to the character and appearance of the area.</p> <p>The garden would be shallower than those of adjoining properties even at its maximum depth and the development would not otherwise meet any of the identified criteria for smaller gardens. This would result in a poor standard of accommodation for future occupiers that would be detrimental to their living conditions. The proposed development would fail to provide acceptable living conditions for future occupiers with regard to outdoor amenity space.</p> <p>The appeal proposal would not be harmful to the living conditions of neighbouring occupiers with regards to privacy.</p> <p>In this instance the appeal proposal includes the replacement planting of 6 trees within the rear gardens of the rearmost houses. The gardens would be large enough to accommodate suitable replacement planting, the details and long-term retention of which could be secured through suitably worded conditions if I were otherwise minded to allow the appeal. The appeal proposal would therefore be acceptable in regards to its effect on trees.</p> <p>The benefits associated with a development of this scale are limited but given the shortfall in housing land supply they attract moderate weight in favour of the proposal. This weight does not, however, clearly outweigh the harm by reason of inappropriateness and the other harm that would result from the appeal proposal. Very special circumstances do not therefore exist in this case.</p>	

No.	DBC Ref.	PINS Ref.	Address	Procedure
11	23/01827/FHA	D/24/3341233	Kingfisher House, Sharpes Lane, Hemel Hempstead	Householder
	Date of Decision:		05/11/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3341233			
	Inspector's Key conclusions:			
	<p>The development is a timber outbuilding (retrospective).</p> <p>Whilst the Flood Risk Assessment should be appropriate to the scale, nature and location of the development, the information provided by the appellant does not provide any detailed assessment of the flood risk including whether the development is likely to be affected by current or future flooding from any source or whether it will increase the risk of flooding elsewhere. Nor does it provide any technical detail of the amount of surface water that may arise as a result of this and the development itself. As such, it is not possible to conclude whether the details of surface water drainage scheme would be adequate or suitable. Therefore, the level of detail that is required in order to meet the stated objectives of the FRA is inadequate.</p> <p>Therefore, it fails to accord with the Framework and is not acceptable from a flood risk perspective. It also fails to demonstrate compliance with Policy CS31 of the Dacorum Borough Core Strategy (2013) which seeks to avoid development within flood zones 2 and 3 unless for a compatible use and unless accompanied by an FRA which demonstrates that it is suitable and does not increase flood risk.</p>			
No.	DBC Ref.	PINS Ref.	Address	Procedure
12	24/00684/FHA	D/24/3347160	Lower Farm End, Luton Road, Markyate	Householder
	Date of Decision:		05/11/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3347160			
	Inspector's Key conclusions:			
	<p>The development proposed is a single storey rear extension.</p> <p>The garage is a domestic structure and is, even at 11m away, close enough to be used as part of the normal residential use of the bungalow. It remains reasonable, and apparently consistent with previous decisions, to consider the garage as equivalent to an extension. I therefore count it as an enlargement of the original building for the purposes of Green Belt policy.</p> <p>The Council says that the garage has a floorspace of 72 sqm, which is already a considerable addition to the bungalow's 81 sqm. The appellant does not dispute these figures. In terms of its volume as well, the garage represents a sizeable increase to the built form of this small bungalow. The currently proposed rear extension would be a relatively small addition in itself, adding only about 24 sqm of floorspace. Nevertheless, when taken together with the</p>			

<p>garage the overall floorspace would be more than doubled. This would amount to a substantial and, I find, disproportionate addition over and above the size of the original building. The proposal therefore constitutes inappropriate development in the Green Belt.</p> <p>Its impact on openness would therefore arise only from the cumulative spatial increase in development on site. The proposed extension in itself would be of modest proportions. I find that the proposal would cause only very limited harm to the openness of the Green Belt.</p> <p>The proposal would neither harm nor enhance the character and appearance of the local countryside. This is a neutral factor in the overall balance.</p> <p>The very special circumstances required to justify inappropriate development in the Green Belt do not exist.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
13	24/00394/ADV	Z/24/3345830	Berkhamsted Golf Club, The Common, Berkhamsted	Written Representations
Date of Decision:			20/11/2024	
Link to full decision:				
			https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3345830	
Inspector's Key conclusions:				
<p>The advertisement is the installation of freestanding safety signs. The main issue is the impact on amenity.</p> <p>The existing signs are small, of low height and of discrete appearance, blending relatively successfully with their surroundings. However, the proposed signs would be considerably larger in size and height such that they would be overly prominent and of an inappropriately large scale given the particular quality and sensitivity of the area in which they would be located and the open and natural surroundings of the golf course.</p> <p>Furthermore, notwithstanding the extent and relatively wooded nature of the golf course, there would be a concentration of signs in certain parts of the course along the bridleways such that cumulatively, they would result in additional harm to the visual amenity of the wider area. As such the signs would be unsympathetic to the sensitive rural character and appearance of the area in which they would be sited.</p> <p>Whilst acknowledging that there is a need to enhance the visibility of the signs to improve the safety of non-golfers, the proposed signs would detract significantly from the rural character and appearance of the area. Overall, I find that the signs would have an unacceptably harmful effect on amenity.</p>				

No.	DBC Ref.	PINS Ref.	Address	Procedure
14	23/01533/ROC	W/24/3341878	Martlets, The Common, Chipperfield	Written Representations
	Date of Decision:		03/12/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3341878			
	Inspector's Key conclusions:			
<p>Planning Permission 20/00887/FUL was granted in September 2020 for the extension and conversion of the property, Martlets, into two dwellings. This appeal is in relation to the Council's refusal to grant consent made under application ref: 23/01533/ROC to vary Condition 2 of the original permission, which would substitute the approved plans with revised plans relating to the approved dormer windows on the side elevation of the building.</p> <p>The proposed amendments to the approved scheme would allow for two dormers with sash style windows within the flank roof slope, with taller sash style windows and dormers than originally approved.</p> <p>The proposed dormer windows would be set down from the main ridge, and like the dormers from the approved scheme their design with pitched roofs and glazing bars would be sympathetic to the host property. However, unlike the approved scheme, the windows within the taller dormers would not align with the head height of the other first floor windows along the elevation. Whilst there are larger windows at the rear of the building, the approved windows are more comparable in size and head height with the fenestration on the front and side elevations of the wider terrace. The uniformity of the terrace's fenestration is an attractive architectural feature within the street scene. The taller dormer windows would undermine the rhythm of the building's fenestration and detract from the host property. They would appear as over dominant and inharmonious and would not suitably respect the appearance of the host building.</p> <p>Although the proposed dormers would be on the side elevation of the property which is set back from the Common, the proposal would be visible from public vantage points, including the adjacent village hall. The taller dormer windows would be a prominent and visually jarring addition to the Non-designated Heritage Asset which would harm its character. On balance, I consider that they would cause modest harm to the significance of the NDHA and the positive contribution that it makes to the CA.</p> <p>Paragraph 208 of the Framework states that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposed development. Any benefits from the proposal would be private, and I have not been presented with any substantial evidence to indicate any public benefits that would arise from it. As such, I conclude that the proposal would fail to preserve or enhance the character or appearance of the CA and would harm the significance of the NDHA, thus failing to satisfy the requirements of the Act and the Framework.</p>				

No.	DBC Ref.	PINS Ref.	Address	Procedure
15	23/02194/FUL	W/24/3341128	Silk Mill Industrial Estate, Brook Street, Tring	Written Representations
	Date of Decision:		04/12/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3341128			
	Inspector's Key conclusions:			
<p>The development proposed is described as the construction of a pair of semi-detached houses to the rear of the recently completed No.23-26 Brook Street, on land to the rear of the Old Silk Mill. Proposed development includes amenity space, private car parking, cycle and bin storage.</p> <p>The proposed development would comprise the construction of a pair of three storey dwellings, each with four bedrooms. In terms of appearance, they would be of a similar design and scale to the recently constructed terrace. However, unlike that development which is located in line with No.21 and 22, the proposed development would be highly visible from Brook Street. The proposed dwellings would also be constructed on a raised platform, which is an integral part of the design, due to flood risk concerns on this part of the site. The proposed design further differs in that it omits the chimney stacks, which are a positive feature of the area. Whilst I appreciate that this was intended to reduce the overall height of the proposed development, it would nevertheless, result in a design which does not relate well to its setting or surroundings.</p> <p>The site is also adjacent to some single storey buildings. The design of the proposed dwellings is such that they would, by virtue of their height and scale, fail to provide a suitable transition in height to these lower buildings. They would also be a highly prominent and discordant form of development when viewed from Brook Street and the tall, narrow design with its strong vertical emphasis would further highlight the height and scale of the buildings to the detriment of the character and appearance of the area. I find that the proposed development would cause unacceptable harm to the character and appearance of the area.</p> <p>The height and scale of the proposed development, which is three-storeys on top of a raised platform, would visually compete with the three storey parts The Silk Mill building. For these reasons, by virtue of its height and dominance the proposed development would cause harm to the significance of The Silk Mill and as a result fail to preserve its setting. Given the nature and extent of the proposed development, I find the harm to be less than substantial.</p> <p>The proposed development would provide two additional dwellings in a sustainable location close to the town centre with access to public transport and services. It would also utilise a brownfield site, formerly identified as an employment area, but currently vacant. There would also be some short-term economic benefits during construction, and through the longer-term use of local services and facilities. However, due to the small-scale nature of the development, these benefits would be modest. I find that the benefits of the</p>				

proposal...would be relatively modest...[and] do not outweigh the harm that would be caused to the significance of the listed building.

The proposed development fail to provide the minimum amount of parking required, but it would also lead to a reduction in the provision of parking for the recently constructed development. During my site visit I observed that Brook Street is a busy main road, where there is existing demand for on-street parking, and I observed that vehicles parked within the highway cause an obstruction to the free-flow of traffic. Therefore, any reduction in off-street parking provision is likely to result in overspill onto the surrounding streets, where on-street parking provision is limited. I therefore find that it has not been demonstrated that the proposed development would provide adequate parking provision and prevent any adverse effects to highway safety.

I find that the proposed gardens would fail achieve the minimum required depth, even if the landscaped bank is included within the measurement...I find that the proposed development would fail to provide adequate living conditions for future occupiers, with particular regard to the provision of private amenity space.

I find that the proposed development would not cause an unacceptable loss of privacy, on balance, it has not been demonstrated that it would not cause unacceptable harm to the living conditions of the occupiers of Nos. 23-26, with particular regard to outlook and light.

I find that the proposed development has not demonstrated that it would make adequate provision for landscaping, tree planting and biodiversity net gain.

The Council has confirmed that it is unable to demonstrate a five-year supply of deliverable housing land. As I have found that the harm to the setting of a listed building would not be outweighed by the public benefits and that it has not been demonstrated that there would be no adverse effects to the integrity of a SAC, these provide a clear reason for refusing the proposal. Consequently, the presumption in favour of sustainable development as set out in Paragraph 11d) of the Framework does not apply.

No.	DBC Ref.	PINS Ref.	Address	Procedure
16	22/02688/LBC	Y/24/3349178	Old Palace Lodge, 69A Langley Hill, Kings Langley	Written Representations
Date of Decision:			10/12/2024	
Link to full decision:			https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3349178	
Inspector's Key conclusions:				
<p>The works proposed are a second storey rear extension.</p> <p>The Oriel window would be lost. There are no confirmed details of where it might be replaced. In the absence of such confirmation, I treat this as the loss of important historic fabric which would erode the significance of the building. The tiles to the bottom part of the east wing rear roof and the bottom parts of</p>				

the internal rafters would be lost. Although likely original, this is to the late-19th/early-20th Century element of the building and the fabric is therefore of lesser value. This would, nevertheless, result in harm from loss of historic fabric, albeit limited. The appellant has offered to record the fabric of the building prior to its removal. This would be welcomed but would not overcome the harm caused by the loss of the fabric in the first place.

The extension as proposed would have a flat roof and a combination of this, its height much closer to the historic eaves, and its footprint would make it unsympathetic and insufficiently subservient to the host building. The fenestration would include large windows to the rear elevation as well as the flat roof. It would therefore be clearly of modern appearance and style. This is not harmful in principle on a building where the legibility of extensions contributes positively to its significance. However, the use of a flat roof would be out of keeping with the sloped roofs to all other parts and ages of the building including to the other dwelling, removing this uniformity and would be an incongruous feature. The large windows would be an alien feature at first floor level, highly prominent and competing with and jarring against the relatively small, timber framed, historic windows to the remainder of the property, including the other dwelling, above ground floor level.

the proposed works would harm the special architectural and historic interest of the Grade II listed building through the loss of the Oriel window and inadequate options for replacement, loss of roof tiles and rafters, unsympathetic scale and design, and incongruous flat roof and inappropriately large glazing. I assess the level of harm to be less than substantial. Because the building positively contributes to the character and appearance of the CA, the works would also fail to preserve or enhance the character or appearance of the CA. The level of harm is also less than substantial.

The property is a relatively substantial house which does not require the proposed additional space for it to be viable in this use. The public benefit of the proposal is in providing a slightly larger home but this is very limited, if a benefit at all, because the existing home is already relatively large. In addition, there would be economic benefits from the purchase and use of construction materials, albeit on a limited scale. I place great weight on the harms to the significance of the listed building and the CA that I have identified, in accordance with Paragraph 205 of the Framework. The harms clearly outweigh the limited public benefits.

No.	DBC Ref.	PINS Ref.	Address	Procedure
17	23/01713/FUL	W/24/3345753	118 Hempstead Road, Kings Langley	Written Representations
Date of Decision:			18/12/2024	
Link to full decision:				
https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3345753				
Inspector's Key conclusions:				
The development proposed is a drop kerb new vehicle access.				

	<p>The boundary treatments along this section of road are a mix of hedges and trees which forms a pleasing break between the two settlements and gives the area a green and verdant character. This is in contrast to the more urbanised forms of development that exist along Hempstead Road further to the north and the south.</p> <p>The proposed vehicle access would result in the removal of many, if not all, of these trees along this frontage and replacement with a new vehicle access. This access would allow aspect towards the large driveway which is laid to hardstanding and, upon construction, the new dwelling which has previously been permitted on this site. This would erode the verdant charm of this particular stretch of road. Whilst these trees could be removed without the need for permission, there would be no incentive to do so without the desire for a new access. I find that the proposal would result in a harmful impact upon the character and appearance of the area due to the loss of trees and there being no scheme of replacement.</p> <p>The proposal would result in a second vehicle access being formed with Hempstead Road. This would result in multiple accesses to a single dwelling and create a second point of potential conflict with other vehicle traffic on this important 'A' road, despite adequate sight lines. This would be detrimental to highway safety. It seems unlikely that pedestrians would be using this side of the road leading to minimal chance of pedestrian and vehicle conflict. As such my concerns here hinge solely upon the second access providing an additional point of conflict between vehicles.</p>
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6.3 PLANNING APPEALS ALLOWED

Planning appeals allowed between 16 September 2024 and 31 December 2024.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	24/00597/FHA	W/24/3343938	77 Gravel Lane, Hemel Hempstead	Written Representations
	Date of Decision:		20/09/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3343938			
	Inspector's Key conclusions:			
	<p>The condition in dispute is No 4 which states that: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification), no render, other than that approved by this application and shown on drawing nos. 100/010 (Rev - 1), 100/012 shall be applied to the external walls of the dwelling.</p> <p>There is not a regular pattern of development relative to the highway, meaning the appeal property is not prominent in the street scene despite its position forward of its immediate neighbour. The garage conversion appears to have</p>			

<p>been carried out and the front ground floor elevation of the appeal property has been partially rendered. Given its light colour against the buff bricks, the application of the render has not made the dwelling appear any more prominent in the street scene. Nor does the appeal property appear unduly incongruous or harmful to the character and appearance of the area. The effect of allowing further render to be applied to this property would have a purely localised effect and would have a neutral effect on the character and appearance of the area.</p> <p>I find that the disputed condition is not reasonable or necessary in the interests of the character and appearance of the area.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
2	23/00662/MFA	W/24/3341434	Land At Icknield Way and Sears Drive, Tring	Public Inquiry
Date of Decision:			27/09/2024	
Link to full decision:				
https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3341434				
Inspector's Key conclusions:				
<p>The development proposed is the erection of a Class E discount foodstore with associated car parking, landscaping, engineering and drainage works.</p> <p>During the course of the appeal the Appellant has sought specialist advice on the likelihood of the appeal site coming forward for the employment use. The employment report prepared concluded that the demand for the envisaged employment use had fallen and that an office led scheme would be unviable. This conclusion has been accepted by the Council. I do not seek to disagree with the contention that employment use on the appeal site in the form envisaged by the LA5 allocation would not have any reasonable prospect of being delivered. There is therefore no realistic fallback position of the appeal site being used for employment purposes notwithstanding the fact that some parties have suggested that this should be pursued.</p> <p>The Council acknowledges that there is no better location, in principle, within or around Tring for new retail development. There is acknowledgement that the development would not be harmful to the existing retail offer in the town and that there is both a quantitative and qualitative need for further retail opportunities. One of the main areas of concern for the Council on this issue relate to what it sees as poor accessibility by means of transport other than the private car.</p> <p>There can be little doubt that the store would be an attractive retail destination for residents of the Roman Park development. But of course there is a limit to which most people will be prepared to walk, especially if carrying a significant amount of goods. My own observations during my site visits indicated that there is a significant number of properties within a 10 to 15 minute walk of the appeal site. I am satisfied that the walking opportunities hereabouts are sufficiently attractive that a reasonable population of Tring would have access to the store on foot.</p>				

I would not expect cyclists to be visiting the store for bulk shopping: rather it would be likely that such trips would entail top-up shopping visits. In my judgement anyone wishing to cycle to the proposed store would be unlikely to be seeking to make a long journey (probably no more than a mile or two) and there are routes which would be safe in order to do so from the nearest residential areas. Because there are residential streets which give access to the site, and which are suitable for cycling, I do not consider that the lack of proposals to improve cycling infrastructure should weigh against the proposal. Taken in the round I am satisfied that the majority of people who would wish to cycle to the store are adequately catered for.

It is agreed that bus stops are in the vicinity of about 600m to 800m from the appeal site. These are located on Aylesbury Road and Miswell Lane. These distances make the use of bus services to reach the store relatively unattractive as discrete trips, especially for more than a top-up trip. Overall I am not satisfied that the existing bus services in the area (and there are no plans brought to my attention to alter the services) would be materially useful to the great majority of visitors to the proposed store.

There are therefore weaknesses in the opportunity to encourage and provide for travel to the appeal site by means other than the private car. Nonetheless this must be set against the Council's own views that the appeal site is the best sequentially available location for the expanded retail offer which is required in Tring. It is therefore unlikely that a more acceptable site would be found and brought forward. There is a hinterland of residential population which would no doubt walk or cycle to the store for a few items. But as with any retail store of this type, a bulky or weekly shop is more likely to rely on private transport in any event. With that in mind I turn to the question of car parking.

Whilst the provision of 99 spaces would impact upon the area available for landscape design (which I deal with later) I do not accept that it would be harmful in a wider context. The Council's suggestion that over providing car parking would simply encourage more car trips is not one to which I subscribe. A few extra spaces here would be largely immaterial to most people's journey planning. Of greater concern is the potential for a full car park to result in overspill parking on the surrounding streets. On balance I accept that there is sufficient evidence here to depart in the manner proposed from the SPD standard.

The proposal conforms with the objectives of the NPPF which seek to ensure that opportunities to promote sustainable transport modes have been taken up. This also accords with the principles of Policy CS8 in seeking to give priority to modes of transport other than the private car, and Policy CS12 in providing sufficient car parking. It cannot be realistic to expect that whatever opportunities are provided for other modes of transport many, probably most, people will not abandon car use when carrying out a large shopping expedition.

Some local residents are concerned that there would be a significant and detrimental change to highway conditions, especially in relation to the northern access to the Roman Park development. It is incontestable that traffic associated with a discount store would be of significantly greater magnitude in trip generation. The proposed development includes a widened section of Sears Drive so that there would be 2 lanes for a distance leading to Icknield Way. This would no doubt ease traffic movements as they leave Sears Drive. In any event the traffic count information provided indicates that the junction would operate well within its capacity now and in the future. It seems unlikely that there would be any significant build up of traffic waiting to leave Sears Drive, and I am satisfied that it has been demonstrated that the junction would operate satisfactorily. I am satisfied that the proposed store would not add unacceptably to highway safety concerns and would not have a severe residual cumulative effect on capacity.

The comings and goings associated with the traffic noted in the previous issue are of concern to the Council and local people in relation to the living conditions of the residents closest to the appeal site.

I do accept that residents would be bound to be aware of increased activity. Whether that activity would lead to unwanted sound in the form of noise disturbance has not been substantiated by the Council or others. The expert evidence provided all points to sounds levels associated with the proposed development being of a low impact and, essentially, being absorbed into the existing background acoustic environment without unacceptable consequences. This does not mean an occasional individual noise event would go unnoticed, but that any such events would not cause material harm to residential amenities.

With particular regard to reversing alarms on delivery vehicles, these would only be expected to be activated when the vehicle begins its manoeuvre towards the unloading dock on the eastern part of the site. This is the furthest part of the land from Sears Drive to the west and shielded by the proposed building itself. The buildings to the south would also be shielded by the store building, but also by the proposed acoustic fencing. I would not, therefore, expect these alarms to cause unacceptable disturbance.

In the light of all these matters it is my judgement that the proposed development would not cause unacceptable disturbance by reason of noise. The extra comings and goings would be noticeable, but these would not be likely, in themselves, to cause loss of privacy or loss of general amenity at the nearest dwellings on Sears Drive.

The proposal as set out would not be seeking to replicate residential properties, but would pay some heed to them in its height and use of materials common to the area. The extent of glazing to the northern elevation would not detract from the character of the area, but would add a degree of interest in the transition between the housing area and the industrial estate to the east. It is my judgement that the proposed development would introduce a building which would be appropriate in its location, offering a transition between

<p>residential and industrial uses. It would not add unacceptably to the lighting environment during hours of darkness and would be capable of being suitably landscaped. The impact on the character and appearance of the locality would be acceptable.</p> <p>The Council accepts that there would be no adverse impact on the National Landscape and that is a position with which I agree.</p> <p>Some members of the community are concerned that the proposed store would constrain the ability of existing stores in the town centre to compete and thrive. However that is not a matter which is of concern to the Council, and it is a matter of agreement between the main parties that the retail impact on Tring would not be harmful. There is no suggestion that the vitality and viability of the town centre would be harmed.</p> <p>Taking all matters into consideration it is clear to me that the proposed development is in accordance with the development plan taken as a whole, and accords with the principles set out in the NPPF. The tilted balance is engaged here and planning permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits. That has not been shown to be the case, and therefore planning permission should be granted.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
3	23/01804/RET	W/24/3341794	Land Adj to Fir Croft/Alexandra Road, Chipperfield	Written Representations
Date of Decision:			03/10/2024	
Link to full decision:				
https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3341794				
Inspector's Key conclusions:				
<p>The development proposed is the erection of a 1.52 metre high gate and associated hardstanding.</p> <p>In relation to the gate, the appellant is unable to rely on any of the exceptions contained in paragraph 154 of the Framework. Nor does it fit with any of the types of development that are permitted under policies CS5 and CS6 of the CS. The development is therefore inappropriate development in the Green Belt. It is common ground between the main parties that the modest hardstanding area does not amount to inappropriate development within the Green Belt. I agree.</p> <p>In spatial terms the in-filling of the gap would have an impact and even when open, the footprint of development on the appeal site would increase which would reduce openness. However, the gate fills the space between two existing close boarded fences that are higher than the development and given the configuration of the road the gate fits neatly into the gap that marks the end of the main part of Alexandra Road and the newly developed dwellings. It also appears subservient to the existing fence on either side. As a result,</p>				

<p>spatially and visually the introduction of the gate with a height of 1.52 metres would cause limited harm to openness.</p> <p>I therefore find there would be limited harm to openness, but the development does not conflict with the purposes of including land within the Green Belt. As a result, overall, I find that the harm to the Green Belt by reason of inappropriateness and the loss of openness is limited. However, as required by the Framework, I still give substantial weight to that limited harm.</p> <p>As outlined above, the gate fills the space between two existing close boarded fences that are higher than the development. Given the configuration of the road the gate fits neatly into the gap that marks the end of the main part of Alexandra Road and the newly developed dwellings. Moreover, the development appears subservient to the existing fence on either side. The erected gate. It does not appear discordant or jarring in the streetscene but preserves the attractive streetscape and as it is set down from the existing close boarded fencing on either side, the scale of the development is appropriate. I therefore conclude that the development would not harm the character and appearance of the area and would preserve and conserve the setting of the Chipperfield Conservation Area.</p> <p>It is common ground that the appellant could erect a one metre gate in the same position under permitted development rights (the alternative development). Given that the appellant has already erected a gate in this position and has pursued this appeal, I am satisfied that there is a greater than a theoretical possibility that the alternative development might take place and will be implemented if this appeal is dismissed. I therefore do not agree with the Council who afforded the fallback position limited weight, but rather accord it substantial weight as a material consideration in making this decision.</p> <p>The limited harm I have identified to the Green Belt by reason of inappropriateness and the loss of openness are clearly outweighed by other considerations. Looking at the case as a whole, I consider that very special circumstances exist to justify the development.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
4	23/00423/DPA	W/23/3334029	Site of 1-31 Nightingale Walk, Hemel Hempstead	Written Representations
Date of Decision:			07/10/2024	
Link to full decision:				
https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3334029				
Inspector's Key conclusions:				
<p>The development proposed is construction of one additional storey of new dwellinghouses above 1-12 and 26-31 Nightingale Walk to provide 6 new residential units (Class C3).</p> <p>The height of the building would increase by a storey. However, due to the lower ground levels of the appeal site and its generally spacious setting, the additional storey would not result in the building appearing unduly prominent</p>				

or otherwise visually intrusive in the street scene. The proposal would replicate the existing regular fenestration pattern and roof profile. Materials would match the existing and this could be secured by condition. The proposal would therefore integrate well with the external appearance of the existing building. For the reasons above, I consider the external appearance of the building would be acceptable.

Neighbouring properties in the adjacent block would largely have oblique views of the additional storey. Given the proportions of the windows, the changed outlook would not be materially different from that at present which would include the mass of the existing property. There would not be a material loss of outlook from the neighbouring flats. There would be an increase in the sense of enclosure to those properties on the ground floor which have direct access to the external amenity space. However, these areas are enclosed significantly by the existing three storey building. The increased height of the block would not be materially harmful at ground floor level in this context. There would be an increase in overlooking from the new dwellings to be formed. However there would not be any new relationship of overlooking to the surrounding residential properties and the effect would be neutral. I conclude that the impact of the proposal on the amenity of existing neighbouring properties in relation to outlook, overlooking, privacy and loss of light would be limited and acceptable.

The proposal shows an extended and reconfigured car park arrangement. This would provide an additional 7 parking spaces and allocate two disabled parking spaces. Given the location of the site within the built up area of Hemel Hempstead, this would be sufficient to meet the need generated by the proposed development.

No.	DBC Ref.	PINS Ref.	Address	Procedure
5	23/00974/FUL	W/23/3333363	Land Between 26 and Collins Bridge, Station Road, Berkhamsted	Written Representations
Date of Decision:			14/10/2024	
Link to full decision:				
https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3333363				
Inspector's Key conclusions:				
<p>The development proposed is a detached dwelling house.</p> <p>The proposal would result in the loss of some vegetation and would introduce a further building onto the north-west, low density, side of Station Road. Nevertheless, there would be space between the buildings ensuring that the contrast with the high-density form of development on the south-west side would remain. The trees adjoining the railway line would continue to be visible in the gaps between, and above, the appeal proposal and the adjoining recently constructed dwellings following approval on appeal. Furthermore, the depth of the proposed rear garden would be comparable to the older cottages as well as the new dwellings. As such, it would not be seen as over development either on its own or in combination with the two, new dwellings.</p>				

<p>Additionally, the scale, form, window proportions, eaves height, roof pitch and chimney detail of the appeal proposal reflect some of the 19th century dwellings on Station Road. Consequently, the appeal proposal would not look out of character with the wider area or incongruous in this context. For the above reasons, the proposal would not harm the character and appearance of the area, including the Berkhamsted Conservation Area.</p> <p>As the occupants of the dwellings in the vicinity of the site rely on on-street parking, it is reasonable to consider that such a high level of parking is typical. The proposed access, which has been constructed, would result in the loss of one parking space that is currently available for general use. Nonetheless, whilst there are existing parking pressures, such a loss of on-street provision, even in combination with that arising from the adjoining development, is relatively small in the context of the overall supply and availability in the area. I therefore find that the residual cumulative impacts of the proposal on the road network would not be severe.</p> <p>Whilst I acknowledge that the parking which takes place on Station Road restricts it to a single carriageway width, there is no compelling evidence before me to suggest that the proposed parking and access could not be used in a safe manner. In reaching this conclusion I have had regard to the absence of objection from the Highways Authority. I find that the proposal would not have a harmful effect on highway safety and would not result in an unacceptable loss of informal parking.</p> <p>The appeal is supported by a planning obligation in the form of a signed and certified unilateral undertaking, dated 9 May 2024, made pursuant to section 106 of the Town and Country Planning Act 1990 (the UU), which undertakes to make the required SAMMS and SANG contributions. The proposal would not harm the integrity of the SAC.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
6	22/02419/DRC	W/24/3342617	Storage Land Rear of 49 High Street, Northchurch	Written Representations
Date of Decision:			23/10/2024	
Link to full decision:				
			https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3342617	
Inspector's Key conclusions:				
This appeal was <u>part allowed</u> and was also conjoined with appeal W/24/3342616 – see dismissed appeal no.7 above for details.				
No.	DBC Ref.	PINS Ref.	Address	Procedure
7	24/00462/RET	Z/24/3346204	M&S, Unit 1, 300 High Street, Berkhamsted	Written Representations
Date of Decision:			20/11/2024	
Link to full decision:				
			https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3346204	
Inspector's Key conclusions:				

<p>The advertisement is installation of 2 no. external vinyls on front facade. The main issue is the impact on amenity.</p> <p>The vinyl advertisements have already been applied to the ground floor front windows which are located towards the southern end of the building frontage, adjacent to the entrance. These extend across the whole of the two panes and to a height of around 2.8 metres down to ground level.</p> <p>Whilst the advertisements are larger than the majority that currently exist within the immediate environs of the appeal site, there are existing vinyl signs applied to the large glazed panes of the adjoining modern premises as well as lettering applied to the ground floor windows of the office premises opposite the site. In any event, given the scale of the host building, its modern appearance and that the majority of the ground floor windows would remain clear glazing allowing views into the shop, the signs do not appear incongruous nor do they dominate the front elevation of the building. In terms of the wider street scene, the set-back position of the building ensures that the signs are not overly prominent. As such they do not detract from the wider conservation area or the general street scene.</p> <p>The adjoining listed building is set forward of the building on the appeal site such that its significance can be appreciated within the street scene. The advertisement is not seen directly adjacent to this building as there is a brick panel along the front elevation separating them, though in more distant views from the north of the site they are seen together within the same view. However, given the relative position of the buildings, the signs recede in this view and despite their size do not dominate or appear as unduly prominent or detracting features within the setting of the adjoining listed building.</p> <p>Overall, having regard to all the above factors, I find that the signs do not have an unacceptably harmful effect on amenity.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
8	23/02341/FUL	W/24/3343381	1 Langdale Cottages, Station Road, Long Marston	Written Representations
Date of Decision:			10/09/2024	
Link to full decision:				
https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3343381				
Inspector's Key conclusions:				
<p>The development proposed is Demolition of stable building and concrete apron together with ancillary office. Construction of detached house, amenity space, hard and soft landscaping, cycle parking, bin storage together with associated parking spaces.</p> <p>The proposed dwelling would be a large single storey detached house with associated parking and amenity areas. Although single storey the height of the roof would be close to (but not higher than) that of Langdale Cottages. However, as the site is set back and well screened from station road and grouped with adjacent dwellings, the degree of change at the scale of the</p>				

<p>street scene would be minor and therefore detract little from the character and appearance of the surrounding countryside.</p> <p>Long Marston contains important services and facilities which need to be maintained. Whilst the appeal site is separated from that village, that is by a plainly cyclable or walkable distance of well under one mile albeit the intervening road lacks a pathway. For that reason I do not consider the proposed dwelling, given its grouping with other dwellings and proximity to Long Marston would be either isolated or an example of sporadic development.</p> <p>It is not disputed that the Council are unable to demonstrate a Framework-compliant Housing Land Supply, and whilst it is not before me to determine the scope of such deficiency, both parties indicate 'less than 2.5 years' which would attach significant weight to the benefit of even a single dwelling.</p> <p>The proposal would contribute only a single dwelling to the Council's deficient housing land supply, however in the circumstances described this modest benefit attracts significant weight. Having regard to the provisions which address the withdrawn refusal reasons including the appellant's Unilateral Undertaking dated 24 April 2024, and the Management Plan, I have concluded that adverse impacts are also limited and thereby do not significantly and demonstrably outweigh even this small benefit. Consequently the appeal should succeed, subject to appropriate conditions.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
9	24/00175/RET	W/24/3345676	Hicks Road, Markyate	Written Representations
Date of Decision:			10/12/2024	
Link to full decision:				
			https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3345676	
Inspector's Key conclusions:				
<p>The development is described as change of use to store scaffolding.</p> <p>DLP Policy 10 sets out that temporary uses will be permitted provided that they are compatible with the character of the surrounding area; and that they would not prejudice the achievement of any specific proposal in the plan or any other appropriate use of the site. The Council accepts that the scheme complies with the second tranche of that policy. Given the nature of this storage use, I agree that it would not prejudice the land coming forward for housing in the future.</p> <p>The use of this site for the storage of scaffolding is not at odds with the diverse character of the surrounding area. The hoarding largely screens the activities taking place on the site from most public views. Consequently, neither the monoflex screening, nor the use for the storage of scaffolding, have had a significantly harmful impact on the appearance of the area.</p> <p>The site utilises an access from the A5183, which can be busy and congested. However, highway visibility in each direction from the access is good, and I have no cogent reason to doubt that the use generates a limited number of</p>				

	<p>vehicular movements, principally from two flatbed trucks. Whilst such vehicles are slow moving, they are also large and easily seen; and there is space within the site for the parking of vehicles.</p> <p>A few local residents have expressed concerns regarding noise emissions. However, given the presence of other nearby commercial uses, and that some representations refer to a proposed use, or a use that was only briefly operating earlier in the year when I understand that it has been operating throughout, it is not clear to me that any such disturbance has arisen as a result of this use on this site. The Council's Environmental Health Team also raised no objections on the grounds of noise emissions.</p>
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6.4 PLANNING APPEALS WITHDRAWN / INVALID

Planning appeals withdrawn between 16 September 2024 and 31 December 2024.

None.

6.5 ENFORCEMENT NOTICE APPEALS LODGED

Enforcement Notice appeals lodged between 16 September 2024 and 31 December 2024.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	E/24/00053/LBG	F/24/3352829	16 High Street, Hemel Hempstead	Written Representations
2	E/20/00157/NAP	C/24/3352778	Plot 1 Cupid Green Lane, Hemel Hempstead	Written Representations

6.6 ENFORCEMENT NOTICE APPEALS DISMISSED

Enforcement Notice appeals dismissed between 16 September 2024 and 31 December 2024.

None.

6.7 ENFORCEMENT NOTICE APPEALS ALLOWED

Enforcement Notice appeals allowed between 16 September 2024 and 31 December 2024.

None.

6.8 ENFORCEMENT NOTICE APPEALS WITHDRAWN

Enforcement Notice appeals withdrawn between 16 September 2024 and 31 December 2024.

None.

6.9 SUMMARY OF TOTAL APPEAL DECISIONS IN 2024 (up to 31 December 2024).

APPEALS LODGED IN 2024	
PLANNING APPEALS LODGED	78
ENFORCEMENT APPEALS LODGED	7
TOTAL APPEALS LODGED	71

APPEALS DECIDED IN 2024 (excl. invalid appeals)	TOTAL	%
TOTAL	80	100
APPEALS DISMISSED	51	63.75
APPEALS ALLOWED	24	30
APPEALS PART ALLOWED / PART DISMISSED	1	1.25
APPEALS WITHDRAWN	4	5

	TOTAL	%
APPEALS DISMISSED IN 2024		
Total	51	100
Non-determination	2	3.9
Delegated	46	90.2
DMC decision with Officer recommendation	1	2
DMC decision contrary to Officer recommendation	2	3.9

APPEALS ALLOWED IN 2024	TOTAL	%
Total	24	100
Non-determination	1	4.2
Delegated	19	79.2
DMC decision with Officer recommendation	0	0
DMC decision contrary to Officer recommendation	4	16.7

6.10 UPCOMING HEARINGS

No.	DBC Ref.	PINS Ref.	Address	Date
1	23/01138/FUL	W/24/3353398	Ferrers Hill Farm, Pipers Lane,	25.02.25
2	24/00330/MFA	W/24/3358032	Haresfoot Farm, Chesham Road, Berkhamsted	tbc
3	24/00781/FUL	W/24/3358181	1 Dale End, Box Lane, Hemel Hempstead	tbc

6.11 UPCOMING INQUIRIES

No.	DBC Ref.	PINS Ref.	Address	Date
1	21/04508/MOA	W/24/3345435	Land west of Leighton Buzzard Road, Hemel Hempstead	05.02.25

6.12 COSTS APPLICATIONS GRANTED

Applications for Costs granted between 16 September 2024 and 31 December 2024.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	23/00423/DPA	W/23/3334029	Site of 1-31 Nightingale Walk, Hemel Hempstead	Written Representations
	Date of Decision:		07/10/2024	
	Link to full decision:			
	https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3334029			
	Inspector's Key conclusions:			
	<p>Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.</p> <p>The applicant contends that the Council has behaved unreasonably by failing to take into account their previous decision and submission in relation to the subsequent appeal. They also consider that the Council has failed to substantiate its reasons for refusal. In response, the Council contend that correct procedures were followed with respect to how the decision was taken.</p>			

The PPG sets out examples of the types of behaviour that can give rise to a substantive award of costs. It is not an exhaustive list, but it is clear that Councils are expected to determine applications in a consistent manner and that consistent decisions should be taken where there has been no material change in circumstances.

The Council does not dispute that it did not raise an objection to the previous proposal for two storeys to be sited above nos 1-12 and 26-31 Nightingale Walk. The Inspector's decision in that appeal was not issued until after the Council determined the application the subject of the appeal before me. However, the officer report clearly references the appeal, and the Council should have been aware of its own previous decision and stance at appeal. There is no substantive rationale in the Council's case to justify why it reached a different decision in this proposal, which furthermore is for a lesser scale of development than that previously proposed.

The Council therefore acted unreasonably by refusing the application, failing to substantiate each reason for refusal and thereby preventing or delaying a development which clearly should have been permitted.

It is also necessary for the applicant for costs to demonstrate that unreasonable behaviour has resulted in wasted expense in the appeal process. I am satisfied that the applicants have incurred the expense of employing professionals to give advice and then pursue the appeal.

For the reasons given above, unreasonable behaviour resulting in unnecessary or wasted expense has occurred and a full award of costs is therefore warranted.

No.	DBC Ref.	PINS Ref.	Address	Procedure
2	23/02341/FUL	W/24/3343381	1 Langdale Cottages, Station Road, Long Marston	Written Representations
Date of Decision:			28/11/2024	
Link to full decision:				
https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3343381				
Inspector's Key conclusions:				
<p>The Planning Practice Guidance advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.</p> <p>The applicant for costs points to the behaviour of the Council in failing to progress his application. The Council prepared a comprehensive recommendation report but did not issue a decision. They also acknowledge they failed to respond adequately from February 2024 until the date of the appeal confirming they could have written up their refusal 'in a more timely manner'. Whilst delay is not of itself unreasonable, the appellant suggests that some four months after submission, the Council decided to do nothing with the application and turned their attention elsewhere due to shortage of resources. In that regard I note that the applicant's contact log lists a significant number of emails from the applicant to the Council that are reported as having no reply.</p>				

The allegation (which is not disputed) that the Council expedited ‘in time’ applications ahead of those which had become ‘out of time’ – including the appealed proposal – indicates an approach to decision-taking which is entirely arbitrary and contrary to the guidance in the Framework that decisions on applications should be made as quickly as possible.

The Conclusion of the comprehensive draft delegated officer report paradoxically states that the ‘principle of a new dwelling on this PDL (was) acceptable’ but that the application site is ‘not located within a sustainable location’ leading to the third draft RFR. The reasoning here appears to be nothing more than a reflection of the Rural Areas policy CS7 at a time when the Council would be aware that such policy would likely be deemed out-of-date due to the deficient housing land supply position the Council found itself in.

In such circumstances the Framework clearly stipulates a presumption that permission should be granted ‘unless:.....’. Whilst the weight to be attached to benefits and harms in that ‘tilted balance’ is for the decision-taker, there is little evidence before me to suggest that the Council made attempts to actively address the presumptive and pro-active requirements set out in the Framework at paragraphs 11(d) and 38.

The concluding parts of the Council’s appeal statement (at 9.6) also indicate some difficulty on the part of the Council in accepting the significance of paragraph 11(d). They state that the appellant ‘has not set out what they consider the additional benefits...are’ and further; “The harm identified is considered to outweigh the limited benefits”. This is language which corresponds to the ordinary 38(6)8 balancing exercise and not that of the ‘presumption’ at Framework 11 d) ii which requires an aptly-named ‘tilt’ in that exercise. Taking all these factors into account it should be unsurprising that the appellant believed he had little choice but to submit the appeal as the alternative would have been a resubmission, with associated further cost and delay. Had the Council acted reasonably that would not have been necessary.

I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has been demonstrated in relation to the first refusal reason and that a full award of costs is justified.

6.13 COSTS APPLICATIONS REFUSED

Applications for Costs refused between 16 September 2024 and 31 December 2024.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	24/00484/FUL	W/24/3343926	16 Park Road, Hemel Hempstead	Written Representations
	Date of Decision:		07/10/2024	
	Link to full decision:			

<https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3343926>

Inspector's Key conclusions:

Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.

Shortly before submitting the planning application subject of the appeal (ref 24/00484/FUL - the second application) the applicant submitted a comparable scheme, ref 24/00043/FUL (the first application). In their response to the first application the Highways Authority (HA), in their role as a consultee, did not state that the hardstanding had potential for use in support of sustainable transport modes, but they did do so in response to the second. There is no suggestion of a material change in policy or circumstances between times. The applicant seeks costs against the Council for following the advice of the HA.

In the first application the HA stated that their rights over the hardstanding would need to be extinguished if the development were approved, and that they would expect a footway to be maintained and confirmation be provided that a utilities chamber could be relocated before extinguishment would be approved. It also made clear that it would make an informed recommendation for the site only once these had been provided. As such, the HA were explicit in withholding their full assessment.

The second application included retention of a footway and confirmation regarding the utilities chamber. Accordingly, the HA made an informed recommendation, and found that the hardstanding had potential to support sustainable transport modes. This is in line with the approach it had set out and I see no evidence that this was unreasonable, therefore.

There is no suggestion of any specific or current intention on the part of the HA to make use of the hardstanding. Nevertheless, as per my determination of the appeal, the future use of it to support sustainable transport modes is feasible and the appeal proposal would frustrate that opportunity. The absence of a specific intention does not undermine the reason for refusal, and does not amount to unreasonable behaviour on the part of the Council, therefore.

I see no evidence that the Council's delegated report demonstrates a failure to objectively assess the advice of the HA in this issue. The relevant paragraph of the delegated report outlines the HA's position before, in a separate sentence, stating that the proposal would prevent future development of the site, contrary to the Transport Plan, thereby offering an assessment.

As per my determination of the appeal, facilities associated with sustainable transport modes are likely to be modest in size, and not erode the open character of the Close to an extent comparable to the appeal proposal. As such, there is no inherent contradiction in refusing the appeal scheme on grounds of character and appearance whilst also envisaging the provision of those facilities in future, and no evidence of unreasonable behaviour, therefore.

Unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.
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6.14 FURTHER SUMMARY OF APPEALS IN 2024

APPEALS LODGED IN 2024	TOTAL	% OF TOTAL
HOUSEHOLDER	21	26.9
MINOR	32	41
MAJOR	5	6.4
LISTED BUILDING	1	1.3
CONDITIONS	3	3.8
TELECOMMUNICATIONS	0	0
TPO	2	2.6
ADVERTS	2	2.6
LAWFUL DEVELOPMENT CERTIFICATE	4	5.1
PRIOR APPROVAL	1	1.3
LEGAL AGREEMENT	0	0
ENFORCEMENT	7	9
TOTAL APPEALS LODGED	78	100

APPEALS DECIDED IN 2024 (excl. invalid appeals)	TOTAL	%
HOUSEHOLDER	20	25
MINOR	36	45
MAJOR	4	5
LISTED BUILDING	3	3.75
CONDITIONS	5	6.25
TELECOMMUNICATIONS	1	1.25
LAWFUL DEVELOPMENT CERTIFICATE	1	1.25
ADVERTS	2	2.5
PRIOR APPROVAL	2	2.5
LEGAL AGREEMENT	0	0
PERMISSION IN PRINCIPLE	0	0
ENFORCEMENT	6	7.5
TOTAL APPEALS DECIDED	80	100

HOUSEHOLDER APPEALS DECIDED IN 2024 (excl. invalid appeals)	TOTAL	%
DISMISSED	14	70
ALLOWED	6	30
PART ALLOWED / PART DISMISSED	0	0
WITHDRAWN	0	0
TOTAL HOUSEHOLDER APPEALS DECIDED	20	100

MINOR APPEALS DECIDED IN 2024 (excl. invalid appeals)	TOTAL	%
DISMISSED	27	75
ALLOWED	7	19.4
PART ALLOWED / PART DISMISSED	0	0
WITHDRAWN	2	5.5
TOTAL MINOR APPEALS DECIDED	36	100

MAJOR APPEALS DECIDED IN 2024 (excl. invalid appeals)	TOTAL	%
DISMISSED	1	25
ALLOWED	3	75
PART ALLOWED / PART DISMISSED	0	0
WITHDRAWN	0	0
TOTAL MAJOR APPEALS DECIDED	4	100

ENFORCEMENT APPEALS DECIDED IN 2024 (excl. invalid appeals)	TOTAL	%
DISMISSED	3	50
ALLOWED	2	33.3
PART ALLOWED / PART DISMISSED	0	0
WITHDRAWN	1	16.7
TOTAL ENFORCEMENT APPEALS DECIDED	6	100

COSTS APPLICATIONS AGAINST COUNCIL* DECIDED IN 2024	TOTAL	%
REFUSED	4	66.7
PARTIALLY GRANTED	0	0
GRANTED	2	33.3
WITHDRAWN	0	0
TOTAL COSTS APPLICATIONS DECIDED	6	100

*Council was successful in its own Costs application in one appeal.

6.15 COMPARISON OF APPEALS 2022 - 2024

APPEALS LODGED 2022 - 2024	2022	2023	2024
HOUSEHOLDER	35	28	21
MINOR	23	29	32
MAJOR	2	2	5
LISTED BUILDING	1	2	1
CONDITIONS	3	2	3
TELECOMMUNICATIONS	1	2	0
TPO	0	0	2
ADVERTS	0	0	2
LAWFUL DEVELOPMENT CERTIFICATE	1	2	4
PRIOR APPROVAL	0	3	1
PERMISSION IN PRINCIPLE	1	0	0
ENFORCEMENT	3	14	7
TOTAL APPEALS LODGED	70	84	78
TOTAL APPEALS LODGED excl. Enforcement	67	70	71

APPEALS DECIDED 2022 – 2024 (excl. invalid appeals)	2022	2023	2024
HOUSEHOLDER	27	28	20
MINOR	37	22	36
MAJOR	2	2	4
LISTED BUILDING	2	1	3
CONDITIONS	3	3	5
TELECOMMUNICATIONS	0	2	1
TPO	0	0	0
ADVERTS	0	0	2
LAWFUL DEVELOPMENT CERTIFICATE	0	1	1
PRIOR APPROVAL	2	2	2
PERMISSION IN PRINCIPLE	0	1	0
LEGAL AGREEMENT	0	1	0
ENFORCEMENT	4	3	6
TOTAL APPEALS LODGED	77	66	80
TOTAL APPEALS LODGED excl. Enforcement	73	63	74

HOUSEHOLDER APPEALS DECIDED 2022 - 2024 (excl. invalid appeals)	2022	2023	2024
% DISMISSED	55.5	57.1	70
% ALLOWED	37	42.9	30
% PART ALLOWED / PART DISMISSED	3.7	0	0
% WITHDRAWN	3.7	0	0

MINOR APPEALS DECIDED 2022 - 2024 (excl. invalid appeals)	2022	2023	2024
% DISMISSED	86.5	81.8	75
% ALLOWED	8.1	13.6	19.4
% PART ALLOWED / PART DISMISSED	2.7	0	0
% WITHDRAWN	2.7	4.5	5.5

MAJOR APPEALS DECIDED 2022 - 2024 (excl. invalid appeals)	2022	2023	2024
% DISMISSED	100	100	25
% ALLOWED	0	0	75
% PART ALLOWED / PART DISMISSED	0	0	0
% WITHDRAWN	0	0	0

ENFORCEMENT APPEALS DECIDED 2022 - 2024 (excl. invalid appeals)	2022	2023	2024
% DISMISSED	75	66.6	50
% ALLOWED	25	33.3	33.3
% PART ALLOWED / PART DISMISSED	0	0	0
% WITHDRAWN	0	0	16.7

COSTS APPLICATIONS AGAINST COUNCIL DECIDED 2022 - 2024 (excl. invalid appeals)	2022	2023	2024
% REFUSED	100	62.5	66.7
% PARTIALLY GRANTED	0	25	0
% GRANTED	0	12.5	33.3
% WITHDRAWN	0	0	0