

Appeal Decision

Site visit made on 13 December 2016

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th January 2017

Appeal Ref: APP/W1905/W/16/3154756

36 Stanstead Road, Hoddesdon, Hertfordshire EN11 0RH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Redshaw against the decision of Broxbourne Borough Council.
 - The application Ref 07/16/0256/F, dated 13 January 2016, was refused by notice dated 25 April 2016.
 - The development proposed is 2 storey side extension with two 1 bed flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area.
 - Whether the proposal would amount to the overdevelopment of the site, with particular regard to provision of private amenity space, cycle and refuse storage.
 - Whether the proposal provides adequate car parking provision and the effect on highway safety.

Reasons

Character and appearance

3. The appeal property is an end of terrace, two storey building with a commercial use at ground floor, residential above and a triangular shaped curtilage. The property forms part of a small shopping parade on the junction of Stanstead Road, Middlefield Road and Rye Road. The surrounding area is predominantly residential in character with two storey dwellings set back from the highway behind front gardens and hard surfacing used for the parking of motor vehicles. The parade lies in a prominent location within the street and the side elevation of the host property is particularly visible on the approach along Stanstead Road.
 4. The proposal would be two storeys high and sited very close to the side and front boundary. Despite the use of materials to match existing, it would project significantly beyond the side elevation and the existing building line of the semi-detached properties along Stanstead Road. In combination with the
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width of the gable, the overall height and scale would result in a significant continuation of built form on the side of the existing building. This would not be reflective of the prevailing pattern and layout of development around the junction and would result in an overly dominant and unduly prominent addition to the streetscene.

5. Furthermore, because of the shape of the site the proposal would have a roof form comprising two hipped roof planes. When viewed from street this would appear as a jarring juxtaposition of roof forms that would not be in keeping with the simple form and appearance of properties on this side of the road. Overall, the proposal would be at odds with the character and appearance of the area and would not represent a high quality of design.
6. The appellant refers to an existing building to the south of No. 4 Stanstead Road and an extension on the opposite side of the parade. However, I found that the building to the south of No. 4 appeared to be a converted public house that sits in a different part of the street and within a different context, separated from the dwellings on Stanstead Road by its car park and with buildings around the junction located closer to the highway. It is not therefore directly comparable. The extension on the opposite side of the parade is single storey and although it extends beyond the existing building line of properties along Middlefield Road, it therefore has a significantly lesser effect than the proposal before me would have.
7. For these reasons, the proposal would cause significant harm to the character and appearance of the area and would conflict with Policies H8 and HD13 of the Borough of Broxbourne Local Plan Second review ('LP') and the Borough Wide Supplementary Planning Guidance 2004. Amongst other things and when read as a whole, these require high quality design, that side extensions should not result in unduly prominent extensions that are out of scale and appearance with the host property and encourage a better quality environment.
8. I find these policies are broadly consistent with the National Planning Policy Framework ('the Framework') which states that good design is indivisible from good planning and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. In these respects the proposal would also conflict with the Framework.

Overdevelopment

9. The proposal would provide two, one bedroom flats. Neither party has provided me with any substantive evidence regarding the size of private amenity space that would remain. Whatever the case may be, the site lies opposite Rye Park and there are a number of other open spaces within a short walking distance, including Rye Meads Nature Reserve and the River Lea. In my view, these would provide accessible and acceptable open space for future occupiers, should they wish to use it.
10. It was evident from my site visit that the necessary refuse storage capacity and cycle storage for two additional one bedroom units could be accommodated within the site. If I were to allow the appeal then this matter could be satisfactorily addressed via the use of a condition. Furthermore, simply because a proposal does not include parking spaces does not necessarily

equate to overdevelopment, it is the resultant effect on highway safety that is the prevailing consideration and this is a matter which I turn to below.

11. For these reasons, I am not satisfied that in these respects the evidence before me demonstrates that the proposal would intensify the use of the site to such a degree that it would amount to unacceptable overdevelopment. Accordingly, it would not conflict with Policy HD16 of the LP or the SPG which, amongst other things, seeks to prevent town cramming and encourages a better quality environment that avoids overdevelopment. In this respect the proposal would not conflict with the design objectives of the Framework.

Parking and highway safety

12. There would be a shortfall of three parking spaces compared with the Council's guidelines set out in its Interim Residential Car Parking Standards 2011 ('CPS'). Furthermore, on the evidence before me the proposal would also remove three parking spaces that currently serve the first floor residential accommodation approved in 1999¹, although it was evident that these spaces were not marked out or being used.
13. However, I saw that some on street parking was available on the surrounding highway network and there is no evidence before me of any particular highway safety issues associated with on-street parking in this locality. The appeal site is close to Hoddesdon Town Centre and alternative transport options are available and within walking distance. From my observations, albeit during the morning, I am not satisfied that it has been demonstrated that what would amount to a modest increase in potential on-street parking as a result of two one bedroom units and the loss of existing parking would have any significant impact on highway safety.
14. Accordingly, I am not satisfied that there would be conflict with the aims and objectives of Policies H6 and H8 of the LP or the CPS guidelines which, amongst other things, seek to prevent harm to the local highway network and ensure that new development has safe access and parking.

Planning balance and overall conclusions

15. The appellant contends that the proposal would encourage the use of previously developed land ('PDL') and that the Council cannot demonstrate a five year supply of housing land. Although the Council do not dispute this, to my mind the policies which form the basis for the Council's reasons for refusal are criteria based policies regarding qualitative and aesthetic design considerations rather than those that constrain the supply of housing land. In this particular case, the development plan is not absent, nor is it silent or out of date and the proposal would not accord with it. Accordingly, the presumption in favour of sustainable development set out in paragraph 14 of the Framework is not therefore engaged.
16. In the normal planning balance, the limited social and economic benefits from the provision of two additional units on PDL, including the use of sustainable technologies as suggested by the appellant do not outweigh the significant harm to the character and appearance of the area that I have identified.

¹ 7/434-99

17. In my view, this is the prevailing consideration and although there would be compliance with some aspects of the development plan, the proposal would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that the proposal should be determined other than in accordance with the development plan and having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR