
Appeal Decision

Site visit made on 12 December 2016

by Claire Victory BA (Hons) MRTPI

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

Decision date: 26 January 2017

Appeal Ref: APP/N1920/W/16/3159663

139 Auckland Road, Hertfordshire, Potters Bar EN6 3HF

- 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 Evangelos Angeli against the decision of Hertsmere Borough Council.
 - The application Ref 16/1315/FUL, dated 1 July 2016, was refused by notice dated 26 August 2016.
 - The development proposed is the demolition of existing detached house including garage and erection of three new detached two-storey family townhouses comprising 3 bedrooms 5 persons each.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Decision Notice referred to SADM31 of the emerging Site Allocations and Development Management Policies Plan (SADM) (2015). Paragraph 4.3 of the Council's statement confirms that this policy is called Design Principles. This policy has been renumbered in the adopted SADM (November 2016) as Policy SADM30. I have therefore assessed the appeal proposal on the basis of the adopted policy.

Main Issues

3. The main issues in the appeal are:
 - the effect of the proposal on the character and appearance of the surrounding area; and
 - the effect of the proposal on the living conditions of future occupiers, with particular reference to the adequacy of internal living accommodation.

Reasons

4. No 139 is a detached two storey house with a detached garage, located towards the western end of Auckland Road near the junction with Mimms Hall Road. The appeal site is not typical of the character of the rest of the street in that No 139 is the only detached property in the road and the plot is the width of approximately two of the adjacent plots.
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5. The remaining houses on Auckland Road are semi-detached, with garages between each pair at the rear of a shared driveway. This provides a gap of about 2-3 metres between each pair of semi-detached houses at ground floor level. The appellant asserts that the proposal would retain this gap and not cause a terracing effect, but there would be only a metre separating each of the three dwellings at ground floor level, and about 2m above the single storey side projection of each house. This would be at odds with the regular and more spacious pattern of development on Auckland Road, and would be contrary to Part E of the Planning and Design Guide (2006) which requires 2m between properties in locations with an established pattern of separation. This harm is sufficient in itself to justify dismissal of the appeal.
6. I note that the proposed materials are similar to that used on other properties in the street, but this would not overcome the harm that would be caused as a result of the proposed housing layout.
7. I conclude that the proposal would harm the character and appearance of the surrounding area, contrary to Policy CS22 of the Core Strategy (CS) (2013) and Policy SADM30 of the Site Allocations and Development Management Policies Plan (2016). These policies require developments to be of a high quality of design and to take advantage of opportunities to improve the character and quality of an area, and for proposed development to respect the visual amenity of the area and have limited impact on the amenity of the neighbours and its surroundings.

Living Conditions

8. The Council requires a gross internal floor area (GIA) of 96 square metres (sqm) for a new 3 bedroom 5 person house¹, while the Nationally Described Space Standard sets a minimum GIA² of 102 sqm.
9. The submitted drawings indicate that the GIA of each dwelling would be 102 sqm. The Council considers³ that the figure would be approximately 79sqm, but no explanation is offered for the difference in calculation. As such there is no reason to suggest that the floorspace figures provided on the submitted drawings are incorrect. The proposed GIA of 102 sqm would meet both the local and national standard for internal living accommodation.
10. I therefore conclude that the proposal would provide satisfactory living conditions for future occupiers with regard to internal living accommodation and would accord with CS policy CS22 and SADM Policy SADM30.

Conclusion

11. I have found that the proposed dwellings would provide satisfactory living conditions for future occupiers. However, the harm to the character and appearance of the area is decisive.
12. For the reasons set out above I conclude that the appeal should be dismissed.

Claire Victory

INSPECTOR

¹ Part D - Planning and Design Guide (2013)

² Table 1 Nationally Described Space Standard (DCLG)

³ Paragraph 5.2 of the Council's appeal statement