
Appeal Decision

Site visit made on 25 January 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 23 February 2017

Appeal Ref: APP/Y1945/W/16/3161564
130 Liverpool Road, Watford WD18 0DN

- 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 Maria Cunningham against the decision of Watford Borough Council.
 - The application Ref 16/01093/FUL, dated 27 July 2016, was refused by notice dated 3 October 2016.
 - The development proposed is retrospective change of use from dwelling to 2 x studio flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on i) the availability of family accommodation in the locality; ii) the living conditions of future occupiers in terms of available internal and external space and iii) the availability of parking provision in the locality with particular regard to the living conditions of existing residents and highway safety.

Reasons

Family accommodation

3. The Council states that the proposal would result in the loss of a large family dwelling, where significantly more than 10 per cent of the frontage of Liverpool Road has been converted into flats. The appellant does not seek to dispute this point and I have not been provided with any information that would lead me to take a different view.
 4. From the information before me the proposal would therefore be in conflict with Policy H13 of the Watford District Plan 2003 (DP) which states that not more than 10 per cent of the residential frontage should comprise a mix of conversions, houses in multiple occupation or guest houses in order to protect the overall mix and character of established residential areas. It would also conflict with Policy H11 of the DP, Policy HS 2 of the Watford Local Plan Core Strategy 2013 (CS) and the National Planning Policy Framework (the Framework) insofar as they seek to plan for a mix of housing and to deliver a wide choice of homes and mixed communities. I therefore conclude that the
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proposal would result in unacceptable harm to the availability of family accommodation in the locality.

Living conditions for future occupiers

5. It is undisputed by the parties that the sub-division of the dwelling would provide flats, each of which would have an internal floorspace of 37 square metres.
6. From 1 October 2015 local policies on internal spaces should be interpreted by reference to the nearest national technical standards (NTS) introduced under a Written Ministerial Statement in March 2015. Decision takers should only require compliance with the new technical standards where there is a relevant Local Plan policy. The relevant standard for one bedroom, one person flats is 39 square metres. The appeal scheme therefore falls short of this standard. However, the NTS state that where a one person flat has a shower room rather than a bathroom, the floor area may be reduced from 39 square metres to 37 square metres.
7. Whilst the proposed bathroom for the ground floor flat could be made into a shower room, the washing facilities for the upper floor flat would be in the converted roofspace. The Council has raised concern that there are inaccuracies in the survey drawings. Whilst I have not been provided with any evidence that this would not be easy to correct, it remains unclear from the information before me, whether there would be sufficient headroom within this part of the property to allow for showering. I am not therefore persuaded that the proposal would be in compliance with the NTS.
8. It is proposed to subdivide the existing external area so that the respective occupiers are each provided with a private garden. However, the single rear access door from the building means that the occupiers of the upper floor flat would only be able to gain access to their garden via the rear of the property from Occupation Road. Although it would be possible to walk between the respective areas, this would not be particularly convenient and would not result in an attractive or enjoyable arrangement.
9. The Council has raised concern with regard to the proximity between the external bin storage area at the front of the property and the immediately adjacent bedroom serving the proposed ground floor flat, in terms of outlook and potential for odour nuisance. The storage of bins at the front of properties is a typical arrangement along the street and reflects the general access constraints associated with terraced dwellings. Whilst the confined amount of storage space is not ideal or in keeping with guidance in the Watford Residential Design Guide 2014 (RDG), it seems to me that living conditions for a flat occupier would be made no worse by this arrangement when compared to the space remaining as a habitable room within a single dwelling. This does not however justify the harm I have identified above with regards to shortcomings in internal and external space.
10. For the above reasons I conclude that the proposal would result in the provision of unacceptable internal and external space and therefore living conditions for future occupiers. It would be in conflict with Policies SD 1 and UD 1 of the CS, the NTS, the RDG and the Framework insofar as they seek to promote high quality design and secure a good standard of living accommodation for all existing and future occupiers.

Parking provision

11. Although on-street parking is possible at the front of the appeal site, Liverpool Road is part of a controlled parking zone where residents are required to hold a parking permit due to high levels of demand. Notwithstanding the availability of a single parking space at the rear of the property, with the creation of an additional residential unit, the proposal would result in demand, albeit relatively small, for increased parking.
12. I note the lack of objection to the scheme from the Council's Highway officer and accordingly I am not persuaded that this would result in any harm to highway safety. However an increase in parking demand would result in additional inconvenience for existing residents in terms of having to park further away from their properties. This leads me to the view that that there is a compelling justification to apply policies that seek to avoid the loss of on-street parking in order to manage the local road network. In the absence of an undertaking from the appellant to exclude future occupiers from an entitlement to parking permits, I conclude that harm would be caused to the living conditions of existing residents. The proposal would therefore conflict with Policies T21 and T24 of the DP and INF 1 of the CS which seek to secure satisfactory parking provision and sustainable infrastructure delivery.

Conclusion

13. For the aforementioned reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Roy Merrett

INSPECTOR