

Appeal Decision

Site visit made on 26 April 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 12 May 2017

Appeal Ref: APP/W1905/W/16/3163311
48 Station Road, Broxbourne EN10 7AL

- 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 and Mrs SD and ZK Drake against the decision of Broxbourne Borough Council.
 - The application Ref 07/16/0939/F, dated 10 August 2016, was refused by notice dated 14 October 2016.
 - The development proposed is the erection of 1No. two bedroom residential dwelling to land r/o 48 Station Road.
-

Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. These are the effect of the proposed development on a) the character and appearance of the area and b) the living conditions of future occupiers with specific regard to the amount of floor space.

Reasons

Character and Appearance

3. The appeal site is the rear garden of Number 48 Station Road. The existing dwelling is two storeys, semi-detached and facing south towards the road. The garden is long, narrow and undeveloped; heavily characterised by mature trees. Frontage development is a defining characteristic of Station Road.
 4. The proposed development would site a bungalow in the garden. When viewed from The Paddocks, it would be read in the context of other single storey structures. Nonetheless it would introduce an additional tier of development in back land form which would be contrary to the established frontage character of the area. The overall size of the garden afforded to No 48 would be truncated. The resulting garden size for the proposed dwelling would also be noticeably small. This, in character terms, would sit awkwardly against the longer and more spacious plots afforded to other dwellings in the area.
 5. I note that some but not all of the trees in the garden would be removed. Whilst in a private space, their height means they contribute positively to a leafy street scene along The Paddock. Some of the larger trees to the northern boundary would overhang the proposed parking area and from the evidence
-

before me it appears it would be possible to retain them. I therefore consider that the loss of trees would not be so significant that the character and appearance of the area would be adversely affected.

6. My findings in this respect do not however lessen the harm that the proposed development would cause to the character of the area as I have described it above. Consequently, there would be conflict with saved Policies H8, HD13 and HD16 of the Local Plan¹. These Policies, along with section 7 of the Framework² seek to ensure that, amongst other things, new development is of a high quality and contextually appropriate design and appearance and respects the character of nearby buildings.

Living Conditions

7. The Council's adopted SPG³ sets out, amongst other things; minimum expected dwelling sizes by floor area. For a three person house, the SPG requires 75 square metres. On review of the National Standards⁴, the minimum set out for a one storey, two bedroom, three person bed space dwelling is 61 square metres plus an additional 2 square metres of built in storage. The proposed development would provide a bungalow of 63 square metres. The appellant has detailed how this floor space would be divided up.
8. Whilst I accept that the amount of floor space would fall below the SPG required standard by some degree, it does not appear to take account of single storey dwellings explicitly. In addition it states, in paragraph 3.4.6, that all space criteria will be considered on a flexible basis. The SPG standards were updated in 2013; the National Standards were published in 2015 and are the most up to date expression of National Government Policy on minimum space standards for new residential uses. Taking all of this into account therefore, the amount of floor space that the new dwelling would provide would be acceptable.
9. I would therefore conclude that the proposed development would not be harmful to the living conditions of future occupiers. The proposed development would thus not conflict with saved Policies H6 or H8 of the Local Plan. These Policies, along with one of the core principles of the Framework, seek to ensure that, amongst other things, new development is of a good quality and provides an appropriate standard of amenity for existing and future occupiers of land and buildings.

Conclusion

10. Whilst I have not found harm in respect of the appearance of the proposed development or the living conditions of future occupiers, this does not make up for its shortcomings in respect of its effect on the character of the area. It is for this reason, whilst also have regard to all other matters raised, that the appeal is dismissed.

John Morrison

INSPECTOR

¹ Borough of Broxbourne Local Plan Second Review 2001-2011 (2005)

² The National Planning Policy Framework 2012

³ Borough-Wide Supplementary Planning Guidance 2004 (updated 2013)

⁴ Technical housing standards – nationally described space standard 2015