
Appeal Decision

Site visit made on 6 June 2017

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

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

Decision date: 14 July 2017

Appeal Ref: APP/W1905/W/17/3167815

53-57 Turners Hill, Cheshunt, Hertfordshire, EN8 8NT

- 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 A.W. Investments against the decision of Borough of Broxbourne.
 - The application Ref 07/16/0318/F, dated 8 March 2016, was refused by notice dated 8 November 2016.
 - The development proposed is the change of use and conversion of existing first floor offices and construction of new second floor to create 13 one and two bedroom flats.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Amended plans were received during the course of the original application which reduced the number of units proposed from 14 to 13. The Council's Decision Notice, however, referenced the original number of units. The Council have confirmed that this reference is incorrect and that they determined the application based on the revised number of units as per the amended plans. The appellant has also subsequently confirmed that this is correct.
3. For the avoidance of doubt, I have determined the appeal for 13 units, based upon the following amended plans: Location Plan, Existing floor plan and existing elevations - 12206-S-001-A, Proposed floor plans - 12206-P-002-E, Proposed elevations - 12206-P-003-A, Elevation comparisons (between existing and proposed) - 12206-P-004. I have also amended the description of the development accordingly.

Main Issues

4. The main issues are the effect of the proposed development upon (a) the character and appearance of the area and (b) the living conditions of future occupants in respect of parking provision.

Reasons

5. The appeal property comprises of a two storey building with a flat roof. To the ground floor the building comprises of a number of retail units and the upper floor consists of office space, but is now vacant. The site is located within Cheshunt Old Pond and forms part of the commercial centre of this settlement. It is located near to a busy junction along Turners Hill and is prominent from
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within the street scene. The area comprises of 2 and 3 storey buildings of a variety of ages and in a variety of architectural styles. Roof forms comprise of both pitched roofs and flat roofs. A mixed palette of materials is also found in the area.

6. The proposals seek to extend the building by adding an additional storey. The upper 2 floors would be used as flatted residential accommodation. As part of the proposals the existing white cladding would be removed and would be replaced with brickwork. The side and rear elevations would be rendered and the roof would be a flat roof design.
7. I consider that the increase in height would significantly increase the prominence and dominance of the building. The development would be particularly prominent in comparison to the adjacent property at No 59 Turners Hill, a 2 storey traditional building which occupies a corner plot at the road junction. While the development would not extend beyond the eaves of Clayton Parade which adjoins the building to the south, the existing stepped arrangement of heights of buildings towards this junction diminishes the impact upon No 59 and adds variety to the street scene. In spite of a reasonable separation distance between the appeal property and No 59, the proposed development would dominate and dwarf this building.
8. I consider that the existing building is of poor quality design with limited architectural character. In spite of the areas mixed character and while I recognise that particular architectural tastes should not be imposed I find that the proposed external changes through the replacement of uPVC cladding with vertical brickwork columns would not overcome my concern and in fact, these would serve to emphasise the increased height of the building.
9. Overall I conclude that the proposals would result in an incongruous development which would fail to preserve the character and appearance of the area. The development would not accord with Policy HD16 of the Borough of Broxbourne Local Plan Second Review 2005 (LP) as it would fail to respect the scale and height of nearby buildings and would not achieve a high standard of design. The development would also not accord with paragraphs 17 and 64 of the National Planning Policy Framework which seek to secure high quality design and improvement to the character and quality of an area.

Living Conditions

10. The appeal property is on a busy main road which has little parking provision due to the presence of bus lanes and bus stops. Any parking provision is restricted and time-limited. Adjoining roads, including Albury Grove Road which is adjacent to the site also have restricted parking by single yellow lines.
11. The Council consider that the lack of parking is an issue of residential amenity in respect of the impact upon future occupants of the proposed development and in respect of neighbouring residents. However, the area is within a town centre location and there would be good accessibility to services and facilities including retail, financial and entertainment facilities. Moreover, the area is well served by public transport, including bus and rail, which is also within proximity to the site. I also note the provision of cycling storage within the proposed development.

12. The development would conflict with the car parking standards set out in LP Policy T11. Nonetheless, in light of the wide range of alternative transport options available to future residents, I do not consider that a lack of dedicated parking provision would cause harm to residential amenity. I am also mindful that paragraph 17 of the Framework seeks to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and I consider that the development in this location would be wholly consistent with this aim.
13. On this basis, and in spite being in breach of LP Policy T11, I am satisfied that the development would not give rise to harm to living conditions of future or neighbouring residents. The development would accord with paragraph 17 of the Framework.

Other Matters

14. I note the negotiations which occurred during the Council's consideration of the proposals as well as the Council Officer's recommendation to approve. However, I am mindful that Members do not have to accept the advice of their Officers. Moreover, under section 78 of the Town and Country Planning Act 1990, it now falls to me to determine the appeal, and in finding harm, I have done so based upon the submitted drawings, evidence and the planning merits of the case.

Conclusion

15. While I have found no harm in respect of living conditions, I consider that this does not outweigh my findings in respect of harm to the character and appearance of the area.
16. For the reasons above, taking into account all other matters raised, I dismiss the appeal.

C Searson
INSPECTOR