



Appeal Decision

Site visit made on 9 October 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 1st November 2017

Appeal Ref: APP/C1950/W/17/3179779

13 Deerswood Avenue, Hatfield AL10 8RX

- 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 Breznica against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2016/2123/FULL, dated 10 October 2016, was refused by notice dated 27 April 2017.
 - The development proposed is described as:
 - Proposed subdivision of the original dwelling house to provide 1no. 1 bedroom flat and 1no. 2 bedroom flat;
 - Proposed erection of ground floor rear extension;
 - Proposed relocation of the shed shared with no.15 Deerswood Avenue to the rear of the property;
 - Proposed insertion of front entrance porch to the front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of porch, single storey rear extension, conversion of dwelling house into 1 x 1 bedroom flat and 1 x 2 bedroom flat involving demolition of existing garden shed and relocation of shared garden shed at 13 Deerswood Avenue, Hatfield AL10 8RX in accordance with the terms of the application, Ref 6/2016/2123/FULL, dated 10 October 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01_100, 01_301 Rev C, 02_301 Rev B, 02_302 Rev B, 04_302 Rev A, 04_304 Rev B, 04_310, 03-301 Rev B, 04_301, 02-303 Rev B.
 - 3) The development hereby permitted shall be used for Class C3 dwelling houses only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.
 - 4) Prior to the first occupation of the development hereby permitted the access improvements on-site car and cycle parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

- 5) The brickwork, roof tile, bond, mortar, detailing, guttering, soffits and other external decorations of the approved extension/alterations must match the existing dwelling/building in relation to colour and texture.
- 6) The refuse bin and recycling materials storage bins and areas to serve the residential units located in the rear garden as shown in the approved plan number 01_301 Rev. C shall be constructed, equipped and made available for use prior to first occupation and shall be retained in that form thereafter.

Preliminary Matters

2. I have used the Council description of the proposed development in my formal decision above as I consider this to be more precise than that in the application form.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the area, with regard to provision of car parking.

Reasons

4. Deerswood Avenue lies on the eastern edge of Hatfield, and consists of blocks of 2 storey shallow pitched roof terraced houses faced with a very light buff brick. The blocks are set back from the road edge by varying distances. The character of the area is affected by car parking, with many of the blocks having cars parked in front of them, on street car parking also present, and a large strip of grasscrete type material providing further parking half way down the street on its eastern side.
5. The proposal seeks to convert No 13 Deerswood Avenue, an existing mid-terrace 3 bedroom property into 2 flats, made up of a 1 bedroom flat and a 2 bedroom ground floor flat. Aside from a small porch the front elevation of the property would be little altered visually. At present there is a wide area of hardstanding between the façade of the house and pavement, with a small raised flower bed located in front of the property's door on the left hand side. 1 car can fit comfortably on the frontage. The proposal extends this area of hardstanding so that 2 cars could park and still allow the shared access passageway on the right side of the property to be utilised.
6. Policy M14 of the Welwyn Hatfield District Local Plan 2005 states that parking provision for new development will be required in accordance with the standards in the Council's supplementary planning guidance (SPG) which represent the maximum allowable provision. The Council's decision notice refers to an Interim Policy for Car Parking Standards, which it is stated in the Officer Report says that parking provision will be assessed on a case by case basis and that the maximum standards in the SPG should be taken as guidance only. This guidance¹ states that 1.5 off street spaces should be provided for a 2 bed flat, and 1.25 spaces for a one bed flat.
7. The proposal would provide 2 car parking spaces, some 0.75 spaces short of the standard in the SPG. However, I note that the standards also state that 2.25 spaces should be provided for a 3 bedroom dwelling, which the current

¹ Welwyn Hatfield District Plan Review Supplementary Planning Guidance Parking Standards January 2004

house falls short of. I also note that the National Planning Policy Framework (the Framework) states that local parking standards should take into account the accessibility of the development, the type, mix and use of the development, and availability of and opportunities for public transport. The property lies in a reasonably sustainable location with bus stops available nearby, and the main town train station is not located far away.

8. Any additional cars which may be generated by the proposed development could park in the on street or parking spaces nearby, and such an overspill, were it to occur given the 2 spaces provided by the proposal, would not create additional harm to the character and appearance of an area which already to an extent features a certain level of on street car parking. Nor do I consider that the proposal itself or the lack of space for soft landscaping would be out of keeping with the character or appearance of the surrounding area, which has the feel of a fairly high density residential area.
9. I therefore conclude that the proposal would not have an adverse effect on the character and appearance of the area, with regard to provision of car parking. The proposal, when taking into account the specifics of the area would comply with Policy M14 of the Local Plan and the details that I have been provided with of the Council's Interim Policy for Car Parking Standards, and would also comply with the Framework.

Conditions

10. I have imposed conditions relating to time for implementation and defined plans, in the interests of certainty. A condition is also imposed to ensure that the proposed extensions to the property match the existing and for the proposed bin store to be constructed prior to occupation. Such conditions are required in the interests of the character and appearance of the host property and surrounds, and the living conditions of the future residents of the flats respectively. A further condition relates to the proposed access improvements to be carried out prior to occupation, for reasons of highway safety.
11. Finally, a condition has been imposed to remove permitted development rights which allow a use to alter from a dwellinghouse to a home in multiple occupation. Planning Practice Guidance states that such restrictions should only be used in exceptional circumstances. However, I note that an Article 4 direction has been made covering Hatfield to enable the Council to consider any such proposals to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity and I therefore consider such a condition to be necessary and reasonable.

Conclusion

12. I have concluded that the proposal would not have an adverse effect on the character and appearance of the area with regard to provision of car parking. Therefore, for the reasons given above, and having regard to any other matters raised, I conclude that the appeal should be allowed.

Jon Hockley

INSPECTOR