The Planning Inspectorate

Appeal Decision

Site visit made on 16 January 2018

by Rory MacLeod BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2018

Appeal Ref: APP/P1940/W/17/3184085
4a School Mead, Abbots Langley, Herts WD5 0LB

- 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 K. Hussain and S. Parveen against the decision of Three Rivers District Council.
- The application Ref 17/0932/FUL, dated 19 May 2017, was refused by notice dated 10 July 2017.
- The development proposed is subdivision of the site and the construction of a detached
- dwelling fronting Gable Close with associated vehicular access, parking and landscaping.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of the proposal from the Council's decision notice as this more adequately describes the scope of development involved than the description on the application form.

Main Issues

3. The main issues are:

   (a) the effect of the development on the character and appearance of the area,

   (b) the effect of the development on the living conditions of future occupiers of both the host and proposed dwellings, and

   (c) the safety of the proposed access and parking measures.

Reasons

Character and appearance

4. The appeal relates to land within the curtilage of 4a School Mead. The property is a semi-detached house, paired with no.3 and with a single storey building to the other side used as an office for a residents association. The plot is L-shaped with land to the rear of the office fronting the adjacent road Gable Close. Gable Close is characterised by semi-detached houses on a strong building line with regular sized plots.

5. The proposal is for a detached infill house fronting Gable Close. Its fenestration and gable ended pitched roof would resemble the design of adjacent houses in

Gable Close, but the house would be set a little behind their front line due to the irregular shape of the plot boundary to 1 Gable Close. The ridge would also be a little lower than that of adjacent houses. Whilst there would be a separation to the flank wall of 1 Gable Close similar to the spacing between dwellings along the road, the new house would appear very close to the rear walls of 4 and 4a School Mead. There would be a significant loss of open space at the rear of 4a School Mead with a narrow strip of garden land remaining. The resultant plot sizes for the retained and proposed dwellings would be substantially smaller than those prevailing in the area. Notwithstanding a sympathetic design approach and the detached nature of the proposed house, the development would result in a contrived layout with a cramped appearance in the street scene, out of keeping with the more spacious pattern of development in the area.

6. The appellant has drawn my attention to the relationship between corner properties in Gable Close and to a development at the junction of Hazelwood Lane with Broomfield Road. From the information available to me, the circumstances at these sites differ from the tight relationships that would pertain around the appeal proposal. Moreover, each proposal needs to be considered on its individual planning merits having regard to the present planning policy regime.

7. The proposal would have a detrimental effect on the character and appearance of the area and would be contrary to policies CP1, CP3 and CP12 of the Core Strategy (2011) (CS) and with policy DM1 of the Development Management Policies LDD (2013) (DMP) which collectively promote high quality design to new developments that respect the character of the area.

Living conditions

8. The flank of the proposed dwelling would be sited approximately 10m from the main rear elevation of the dwelling at no.4a at first floor level, and 4m from its single storey rear extension and the single storey building at no.4. Whilst it would not be sited directly to the rear of no.4a and the nearest windows at 4a are presently obscured glazed, the limited separation would nonetheless result in the proposed dwelling having an oppressive and overbearing impact on living conditions at no.4a.

9. The proposed dwelling would have an amenity space about 46 sqm in area and about 55 sqm would be retained for no.4a, figures below the Council's requirement of 63 sqm set out in their guidance. There are open greens close by in School Mead and Gable Close but these would not adequately compensate for the paucity of on site provision. The spaces created would not only be small but that at no.4a would have a narrow and contrived shape, poorly related to the dwelling. The appellant has drawn my attention to a plot with a small amenity area at the Hazelwood Lane development, but overall that development would appear to have a more open and spacious layout and this point does not lead me to a different finding on this issue.

10. In respect of the overbearing relationship to no.4a and the inadequate amenity space provision, the proposal would be contrary to policy CP12 of the CS and policy DM1 and Appendix 2 of the DMP which promote satisfactory intervening relationships and amenity space provision.

11. The Council are also concerned about lack of privacy within the back garden of the proposed dwelling. First floor windows at no.4a would directly face this garden but the parapet wall to the rear extension would preclude overlooking of the garden from this direction. There would be oblique overlooking from the rear first floor windows at 1 Gable Close, but this would be no greater than that which is common between other dwellings in the road.

Parking

12. Three parking spaces are proposed, two for the proposed dwelling and one for no.4a. The Council raises concerns about pedestrian and highway safety arising from a continuous crossover to Gable Close to serve all parking spaces. There are alternative options for parking in relation to no.4a at the front of the site. Had I been minded to allow the appeal in respect of the other main issues, it would have been appropriate to include a condition requiring the submission and approval of a plan to show on site parking arrangements to address the Council's concerns.

Conclusion

13. For the reasons given and having regard to all matters raised, the appeal is dismissed.

Rory MacLeod

INSPECTOR