



Appeal Decision

Site visit made on 10 June 2019

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2019

Appeal Ref: APP/J1915/W/19/3224789

36 Lower Clabdens, Ware SG12 7EU

- 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 P Patterson against the decision of East Herts Council.
 - The application Ref 3/19/0170/FUL, dated 28 January 2019, was refused by notice dated 6 March 2019.
 - The development proposed is a 2 bed dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues of this appeal are:
 - the effect of the proposal on the character and appearance of the local area; and
 - Whether the development would provide for a satisfactory standard of living conditions, with particular regard to the proposed internal layout.

Reasons

The effect of the proposal on the character and appearance of the local area

3. The proposal is for a simply designed single two storey, two-bedroom dwelling with pitched roof that would be attached to the flank wall of 38 Lower Clabdens (No 38), a modest semi-detached house, located within a planned residential estate with houses of similar simple mid 20th Century designs. These have modest front gardens and/or parking spaces set behind dwarf walls and correspondingly modest rear gardens.
4. Whilst the surrounding area is not particularly sensitive in architectural or streetscape terms, there is nonetheless a coherent grain to the area and a pleasing appearance of spaciousness and openness. This arises from the simple architectural approach to dwellings in the area, their set back from the street frontage and the spacing between. The corner properties, including that of No 38, that have side gardens wrapping around the house and connecting the front and rear gardens make a positive contribution in this regard.
5. The proposed house would be considerably smaller in scale than many of the dwellings in the area, resulting in an incongruous appearance. As its flank wall

would be close to the side boundary with Barley Ponds Road, it would also result in the loss of most of the side garden to No 38 and the sub-division of the front and rear gardens, thereby encroaching on the spacious and open character of the area. The proposal for a small house on the prominent corner plot would also contrast markedly with other extensions in the area that have been referred to me by the appellant, which enlarge rather than add dwellings, without subdividing the plots.

6. Consequently, I find that the position, scale, bulk and appearance of the proposal, relative to its plot, would result in an unduly prominent and cramped appearance. For this reason, the proposal would be harmful to the appearance of the street scene within an area of defined and coherent character, conflicting with Policy DES4 of the East Herts District Plan 2018 (DP). Which seeks high quality design that exploits all reasonable opportunities for enhancement and improves the character and quality of an area.

The living condition of potential occupiers, with reference to space standards

7. The nationally recommended internal space set out in the Technical Housing Standards for a 2 bedroom house of the proposed size is 70sqm or over, which is approximately 10sqm more than that of the proposal.
8. However, space standards should be applied with a degree of flexibility in a manner that recognises their overall aims and objectives. The rooms appear to me to be of an appropriate size and dimension for their intended use, with an effective usable internal layout suitable for a small 2 bedroom 3 person house. Viewed as a whole, the amount of indoor and outdoor space would provide an attractive living environment for future occupiers
9. On the second main issue I therefore conclude that the proposed development would not harm the living conditions of future occupiers. Consequently, there would be no conflict with Policy DES4 of the DP that seeks to ensure internal rooms of residential developments are of an appropriate size that meets their intended function.

Conclusion

10. Notwithstanding that the development would make a small contribution to the Council's housing stock, making efficient use of a site in a sustainable location that would, despite having less than recommended space standards, provide reasonable living conditions of future occupiers, these benefits do not outweigh the harm I have identified to the character and appearance of the area. The appeal is, therefore, dismissed.

Victor Callister

INSPECTOR