



Appeal Decision

Site visit made on 2 September 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2020

Appeal Ref: APP/N1920/W/20/3251346
201 Watling Street, Radlett WD7 7NQ

- 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 R Parker (Beechwood Homes Ltd) against the decision of Hertsmere Borough Council.
 - The application Ref 19/1314/FUL, dated 16 August 2019, was refused by notice dated 16 March 2020.
 - The development proposed is described as "new 1 bed flat".
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. During consideration of the planning application negotiations took place between the appellant and the Council that resulted in amendments. These included changing the proposed flat to a studio flat and revisions to the parking and refuse storage provision. This decision is based on these revised drawings.
3. The Council's reason for refusal refers to the amenity of future occupiers. However, existing residents of the building have made submissions regarding waste storage, and the loss of bin space formed part of the Council's reason for refusal. Both main parties have commented on waste storage, and it does not prejudice their interests to consider the effect of the appeal proposal on existing occupiers.
4. The main issue is therefore whether the development proposed would provide acceptable living conditions for existing and future occupiers.

Reasons

5. The proposed flat would have windows and a balcony facing towards the neighbouring site across the access ramp to the building's communal car park. Outlook from the balcony would be towards the facing elevation of the neighbouring building, which is currently a predominantly blank two-storey brick wall, or onto the petrol station forecourt and houses beyond. This would be a restricted outlook that would provide a poor quality of accommodation to occupants if the existing building were to be retained on the neighbouring site.
6. Planning permission has been granted on the neighbouring site for a part three/part four-storey building. The approved building would be built up to the

shared boundary between the sites, where the existing building is set off the boundary. The increased height and nearer proximity would cause overshadowing of the windows and balcony to the proposed flat. The approved building would also project further forward on the neighbouring site than the existing, further limiting outlook from the proposed flat. If this approved development were to be implemented, the proposed flat would have a very restricted outlook with limited natural light to its balcony and windows.

7. Other flats within the building may receive limited natural light or have limited outlook. However, this is not justification to approve development that would offer poor living conditions for future occupiers.
8. Four communal refuse bins have been provided at the site, and submissions from residents state that this provision has been insufficient to meet demand. As several residents have attested to this shortfall, this matter attracts substantial weight. While the development proposed would increase capacity, it is not clear that this would be enough to address the identified issues and the increased demand from an additional flat.
9. Vehicles using the car park access ramp would typically be travelling slowly due to its narrow width and relatively short length. The car park is solely for use by occupants of the building, with limited traffic as a result. Watling Street is well used by traffic, and the appeal site is next to a railway line. Noise from vehicles using the access ramp would not therefore result in unacceptable harm to the living conditions of future occupiers.
10. Notwithstanding the lack of harm arising from noise disturbance from use of the access ramp, the development proposed would fail to provide acceptable living conditions for existing and future occupiers. It would conflict with Policies SP1 and CS22 of the Hertsmere Core Strategy 2013, Policies SADM3 and SADM30 of the Hertsmere Site Allocations and Development Management Policies Plan 2016 and guidance in the draft Planning and Design Guide Part D: Guidelines for High Quality Sustainable Development. When taken together these require, amongst other things, that development ensure a healthy living environment for residents and make proper provision for the safe and efficient collection of waste.

Other Matters

11. The development proposed would contribute towards the supply of housing in a sustainable location in the borough and there would be temporary economic benefits arising from its construction. However, these benefits would not outweigh the harm that would result from the appeal proposal.
12. No harm has been identified as arising on parking or environmental health grounds. The absence of identified harm is a neutral consideration in my determination of this appeal.

Conclusion

13. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR