



Appeal Decision

Site visit made on 4 July 2022

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th July 2022

Appeal Ref: APP/W1905/W/21/3289209
20A Walton Road, Hoddesdon EN11 0LL

- 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 A Bacon against the decision of Broxbourne Borough Council.
 - The application Ref 07/21/1162/F, dated 22 September 2021, was refused by notice dated 18 November 2021.
 - The development proposed is demolition of existing garage and erection of detached two bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues are the effect of the proposed dwelling on: -
 - the character and appearance of the area;
 - the living conditions of the occupiers of the neighbouring property, No 22 Walton Road and the future occupiers of the proposed dwelling; and
 - highway and pedestrian safety.

Reasons

Character & Appearance

3. The appeal site is an end terraced house on the corner of Walton Road and Rumbold Road. It has a detached garage and vehicular access off Rumbold Road. To the east of the garage are a pair of double garages and to the east of that are a row of terraced houses. No 20A's garage would be demolished to accommodate the proposed dwelling.
4. Local Plan¹ Policy DSC1 sets out general design principles and establishes the Council's expectation for a high standard of design that, amongst other things, enhances local character and distinctiveness, taking into account existing patterns of development and matters such as height and building lines. Good

¹ Borough of Broxbourne – Local Plan 2018 – 2033 – The Broxbourne Local Plan – A Framework for the Future Development of the Borough, June 2020.

design is also a significant objective of the National Planning Policy Framework².

5. The design of the proposed house would not be out of keeping with the general form and character of the area and from Rumbold Road and I do not consider that it would appear out of place in design terms. However, It would be close to the boundary with the adjacent garages and very close to the boundary with No 22 Walton Road. Its amenity space would be located to the side of the house between it and 20A Walton Road; an area also to be used for parking spaces for both houses. This arrangement results in a very cramped development with the appearance of a dwelling squeezed into an inadequate area of land.
6. The siting of a dwelling on this site would not follow the general pattern of development in the immediate area, which is generally that of linear rows of houses with long rear gardens, and its cramped appearance would not meet the standards required by Policy DSC1 or the Framework. It would be harmful to the character and appearance of the area and therefore, on this issue, is unacceptable.

Living Conditions

7. In terms of the effect of the living conditions of either neighbours at No 22 or the future occupiers of the proposed dwelling, the Council refer to policies DSC1 and DSC2. DSC1 is referred to above but does not make any specific mention of the effect on living conditions or the amenity of occupiers surrounding the appeal site. Policy DSC2 relates to extensions and alterations to existing buildings so it not particularly relevant for this proposal in this regard. DSC1 refers to Supplementary Planning Guidance but it is not quoted in the reasons for refusal nor has a copy been supplied with this appeal.
8. However, the effect of the proposal on either the occupiers of No 22 or the future occupiers of the proposed dwelling relate to the concerns I have expressed in terms of the effect on the character and appearance of the area. No 22 is a narrow mid terraced house with a narrow garden and the proposed house would be sited very close to its boundary. As the proposed dwelling would be two-stories in height, it would be very prominent and overbearing. This would emphasis the cramped effect of the dwelling and create a poor outlook. Also, as the house would be to the south of No 22, it would overshadow the garden and as this is very narrow, the effect would be particularly harmful.
9. The proposed house has been designed so that windows would avoid overlooking its neighbours and likewise minimise being overlooked. However, the proximity of No 20A would cause direct overlooking of the garden area and some overlooking of the ground floor windows. The area may well satisfy the space standards referred to by the Council but it would certainly not ensure any private area would be free from being overlooked. In this respect, this emphasises the conflict with Policy DSC1 and the Framework.

² Ministry of Housing, Communities and Local Government, National Planning Policy Framework, 2021 (the Framework).

Highway & Pedestrian Safety

10. Local Plan Policy TM6 relates to vehicle cross-overs and sets out criteria where they will be granted. These include where there would be no adverse impact on the safety of pedestrians and highway users and it would not give rise to further on-street parking pressures. The Council state that the on-site parking provision to serve the existing and the proposed house would be unacceptable.
11. The Council indicates that the provision of one parking space for each dwelling would be below its standard but other than reference to the requirement of 2.5 spaces for the parent property, No 20A, and 2 spaces for the proposed dwelling, no policy is submitted which sets out this standard. I also note that although No 20A has a double garage, this is accessed through the amenity space to the rear of the house which is hardsurfaced so the amount of space that this house has is generous but could easily be reduced depending on the occupiers' personal requirements at any point in time.
12. Policy TM6 refers to the harmful effects that a new crossing could have and the Council clarify that the new dropped kerb would displace on-street parking. However, the appellant states that the new cross-over would replace the existing one and although the submitted plans do not make this clear, this could be secured by a condition if considered necessary. I noted that there is demand for on-street parking with only a few dropped kerbs at the appeal site end of Rumbold Road. This is an area primarily made up of houses with little or no off-street parking.
13. Whilst the proposal may leave the existing house with less parking space than available now and the proposed house would have just one parking space, I do not consider that there would be any conflict with Policy TM6. There is a dropped kerb now and if the proposal simply replaced it then there is no reason to conclude that highway or pedestrian safety would be harmed by this proposal. I do not therefore find any harm with regard to this issue.

Conclusion

14. Whilst I do not consider that the proposal would have a harmful effect on highway and pedestrian safety, I do consider that the proposal would have a harmful effect on the character and appearance of the area and the living conditions of the occupiers of the neighbouring property and the proposed dwelling.
15. I have considered all other matters raised but none alter my conclusion. I conclude that the proposal would have a harmful effect on the character and appearance of the area and conflict with Policy DSC1. It would also harm the living conditions of the occupiers of No 22 Walton Road and the future occupiers of the proposed dwelling. The appeal therefore fails.

J D Clark

INSPECTOR