The Planning Inspectorate

Appeal Decision

Site visit made on 5 February 2019

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 March 2019

Appeal Ref: APP/X1925/W/18/3213533
16 Traherne Close, Hitchin SG4 9DS.

- 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 Marcus Andrews against the decision of North Hertfordshire District Council.
- The application Ref 18/01249/FP, dated 8 May 2018, was refused by notice dated 23 July 2018.
- The development proposed is conversion of existing annex to self-contained attached dwelling.

Decision

1. The appeal is allowed and planning permission is granted for conversion of existing annex to self-contained attached dwelling, at 16 Traherne Close, Hitchin SG4 9DS, in accordance with the terms of application ref. 18/01249/FP, dated 8 May 2018, subject to the following conditions:

   1) The development hereby permitted shall begin not later than 3 years from the date of this permission.

   2) This permission shall relate to the following plans: 1:1250 Location Plan, 463817/20C (Existing / Proposed Elevations and Site Plan) and 463817/21B (Existing / Proposed Floor Plans).

   3) The annex shall not be used as a separate dwelling until details of the means by which surface water from the driveways / parking areas is to be intercepted and disposed of to avoid discharge onto the highway have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

   4) The annex shall not be used as a separate dwelling until the parking and access layout has been fully laid out in accordance with the approved plans. Thereafter, it shall be retained as such and a 0.65 metres x 0.65 metres pedestrian visibility splay shall be permanently maintained each side of the access, within which there shall be no obstruction between 0.6 metres and 2 metres above the carriageway.

   5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, C and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out.

Main Issue

2. The main issue is the effect on the character and appearance of the area resulting from the intensification of the use of the site.

Reasons

3. The appeal site is located on a corner plot in a small cul-de-sac just off the main Stevenage Road. It is an extended semi-detached bungalow with attached annex to the side with separate side entrance. The front garden is paved over with small raised planted beds.

4. The proposed dwelling would be served by a small but adequate rear garden area bearing in mind the likely number of occupants. Bin storage would be provided to the side for the proposed dwelling and at the front of the site for the existing dwelling, just to the front of the separate dwelling that would be created. This is not an unusual arrangement and would not unduly harm the visual appearance of the street scene.

5. The existing paved area to the front of the site would be divided by a low brick wall to provide separate parking areas for the existing and proposed dwelling with a widening of the existing dropped kerb. Whilst this would involve cars reversing directly off the site onto the highway, this is an arrangement that is found on other plots in the road and was found to be acceptable by the local highway authority, subject to conditions. I consider that it would provide a safe and suitable access and parking arrangement for the proposal.

6. I note that the layout to the front of the site would provide only limited space for additional landscaping. However, the established mature hedge along the main (Stevenage Road) frontage would be retained, and this is visible as part of the street scene of Traherne Close. In addition, I saw on my site visit that other properties in the road have similarly large areas of hardstanding to the front. Therefore, I see no need for any additional landscaping to be required by condition.

7. Overall I consider that the proposal would not result in an unacceptable intensification of use compared to that associated with the existing house and ancillary annex. The need to provide for separate amenity, storage and parking areas would be satisfactorily accommodated on the site in a way that would be compatible with the character and appearance of the street scene whilst also providing a suitable living environment for both dwellings.

8. I therefore find that the proposal would accord with Policy 57 of the North Hertfordshire District Local Plan with Alterations (1996) which seeks to ensure that development relates to the site and its surroundings, enhances the character of the area and provides a high standard of design, a safe and convenient access, suitable private amenity areas and appropriate parking and landscaping.

9. I have had regard to the National Planning Policy Framework which seeks to ensure that development is of high quality design that functions well and provides a good standard of amenity for existing and proposed residents. For the reasons set out above, I consider that these policies would be satisfied.

10. I have also noted the concerns of the local residents, particularly in respect of the planning history, parking and restrictive covenants. I have considered the

adequacy of the parking and have found it to be acceptable, as does the local highway authority. However, as recommended, conditions to require the parking and access to be fully laid out and provided with appropriate pedestrian visibility splays and for suitable means of surface water drainage are necessary in the interest of highway safety. I have assessed the proposed development, including the provision of storage at first floor within the roof space, in accordance with the development plan and all material considerations; the planning history, insofar as it is relevant, does not alter my views that the proposal would be acceptable. The issue of separate restrictive covenants is not a material planning consideration.

Conclusions

11. Overall I find that the proposal would not have a harmful impact on the character and appearance of the area. With regard to conditions, in addition to referring to the approved plans in the interests of proper planning, I agree with the Council's suggested condition to restrict permitted development rights due to the limited plot size and the potential impact that any such additions and alterations might have. As noted above, conditions to ensure that satisfactory parking and access provision is made as well as the means to deal with surface water are also necessary.

12. For the reasons set out above, conclude that this appeal should be allowed and planning permission granted.

P Jarvis

INSPECTOR