

Appeal Decision

Site visit made on 29 September 2016

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 October 2016

Appeal Ref: APP/W1905/W/16/3148684

25a Cheshunt Wash, Cheshunt, Waltham Cross, EN8 0LJ

- 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 Jason Pearce against the decision of Broxbourne Borough Council.
 - The application Ref 07/15/1156/HF, dated 20 November 2015, was refused by notice dated 26 January 2016.
 - The development proposed is a shed/playroom/store outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for a shed/playroom/store outbuilding at 25a Cheshunt Wash, Cheshunt, Waltham Cross, EN8 0LJ in accordance with the terms of the application Ref 07/15/1156/HF, dated 20 November 2015.

Procedural Matter

2. The development is in situ; this does not alter my approach to determining the merits of the proposal

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the locality and upon the living conditions of people within the host property.

Reasons

Character and appearance

4. The appeal property is an end of terrace flat above a stretch of commercial premises. It has a small yard curtilage to the rear around the corner which runs alongside a road with more suburban residential character beyond and it also abuts a service lane to the rear of the retail and other premises. The locality is thus of mixed development form and is unremarkable in appearance terms. The host property's yard area has been largely filled by the appeal scheme which is a single storey flat roofed timber clad building reminiscent of a substantial shed. It has one door and one window and at the time of my visit included miscellaneous storage, gym equipment and computer and gaming equipment and screens.
 5. The Council is concerned that scheme's design, scale and materials, along with its siting, is harmful to the appearance of the townscape and aesthetics of the neighbourhood. From my perspective I found that the appeal building was
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relatively comfortably accommodated within what is an area of transition between commercial and suburban residential scenes. The row of business premises does have outbuildings behind and this development is seen in that context. It is of simple functional design; as I say, not dissimilar to a garden shed or perhaps a timber lock-up. In terms of size the building is both subservient to the main terrace alongside and not out of sync with other outbuildings very close by. The timber will continue to weather and even at the present time does not catch the eye. The building is relatively low key and is not visually prominent despite being close to the side road and on a corner with the service lane. In all the circumstances I would determine that the Appeal scheme is not unduly harmful in the streetscene.

6. Saved Policies H6, HD14 and HD16 of the Council's Local Plan Second Review 2001-2011 (December 2005) (LP), taken together and amongst other matters, call for well designed buildings of suitable scale and form respectful of local context and character and protective of the streetscene generally. I conclude that the appeal scheme would not run contrary to these policies.

Living conditions

7. The Council is also concerned that the outbuilding would remove the ability for occupiers to enjoy the use of outside space for recreation or car parking. However, before the erection of the appeal structure this small space would have been an unattractive shaded north west facing yard area surrounded by a substantial terrace, a high boundary with road and service lane beyond and a functionally-designed neighbouring outbuilding. It would have been an unappealing prospect. At the same time I saw no evidence of local pressure regarding on-street car parking. Given the erected building clearly provides a valued amenity in terms of space and recreational opportunities to the occupiers of the small host flat I would deem that this would more than outweigh the loss of most of the small yard area.
8. LP Saved Policy H8 calls for suitably designed development that would not impinge upon amenity for existing residents. I conclude that the appeal scheme would not run contrary to the development plan in this context.

Conditions

9. The Council suggests a condition tying the scheme to the application content. However given the building is erected, in use, and matches the submitted plans and details I would deem that such a condition would be unnecessary.

Overall conclusion

10. For the reasons given above I conclude that appeal proposal would not have unacceptable adverse effects on the character and appearance of the locality or upon the living conditions of people within the host property. Accordingly the appeal is allowed.

D Cramond
INSPECTOR