

Appeal Decision

Site visit made on 14th November 2016

by Alison Roland BSc DipTP MRTPI

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

Decision date: 21 November 2016

Appeal Ref: APP/W1905/D/16/3155959

14 Baas Lane, Broxbourne, Hertfordshire, EN10 7EH.

- 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 Rider against the decision of Broxbourne Borough Council.
 - The application Ref: 7/16/0494/HF, dated 25th April 2016, was refused by notice dated 20th June 2016.
 - The development proposed is detached double garage.
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Decision

1. The appeal is allowed and planning permission is granted for detached double garage at 14 Baas Lane, Broxbourne, Hertfordshire, EN10 7EH, in accordance with the terms of the application Ref: 7/16/0494/HF, dated 25th April 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No: 12348-S001: Site Plans and Section as Existing; Drawing No: 12348-P002: Plans and Elevations as Proposed.
 - 3) No development shall commence until details of the proposed foundations for the garage and any associated retaining structures have been first submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.
 - 4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained (including those along the site frontage) and set out measures for their protection throughout the course of the development.
 - 5) The measures in the approved landscaping scheme shall be carried out as approved. Any existing trees or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
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Main Issue

2. The main issue in this appeal is the implications of the proposal for the character and appearance of the area, including its impact on trees within the site.

Reasons

3. The proposed garage would be located in the front garden well forward of the existing house, but I do not consider it would appear unduly prominent or out of character with the locality for the following reasons. Firstly, it would be set down relative to road level and cut into the ground slightly, which would render it a discrete addition to the front garden and subordinate to the host property. Secondly, it would be set back from the site frontage around 4 metres and behind a row of trees, to the extent that it would be partially screened by vegetation and not assert itself onto the street scene.
4. Whilst two trees are denoted for removal along the side boundary, these are far from notable specimens and certainly do not contribute positively to the appearance of the area. Although the construction of the garage could potentially impact on trees along the site frontage, conditions can be imposed requiring the foundation details to be agreed with the local authority, as well as protective measures for the trees during the course of construction.
5. I appreciate the majority of front gardens in the area are devoid of buildings and this sense of openness to the frontages contributes to the spacious character of the locality. Nonetheless, in this particular case, the proposed garage would, for the reasons given, appear as a relatively innocuous element in the area.
6. I therefore find no conflict with Policies H6, HD13 and HD17 of the Borough of Broxbourne Local Plan Second Review 2001-2011 (December 2005), the Council's Borough Wide Supplementary Planning Guidance (August 2004 updated 2013), or the objectives of the National Planning Policy Framework. These seek to secure a high standard of design in new development which integrates with the prevailing character of the area and retains important landscape features.
7. In addition to the standard time limit for the commencement of development, a condition requiring development in accordance with the approved plans is necessary for the avoidance of doubt. A matching materials condition is superfluous as the application form and plans state as such and any material deviation therefrom would require consent. I agree a landscaping condition dealing with retained trees and measures for their protection during the course of development is appropriate to ensure satisfactory screening along the site frontage. For the same reason, a condition detailing foundations for the building is necessary. I shall modify the wordings suggested for brevity and as I see no necessity to replace the trees indicated for removal.

ALISON ROLAND

INSPECTOR