



Appeal Decision

Site visit made on 28 August 2019

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2019

Appeal Ref: APP/W1905/W/19/3230859
281 Perrysfield Road, Cheshunt EN8 0TP

- 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 S Reynolds against the decision of Broxbourne Borough Council.
 - The application Ref 07/19/0303/F, dated 29 March 2019, was refused by notice dated 20 May 2019.
 - The development proposed is described as boundary treatment/fencing to exposed boundary and change of use from local amenities area to domestic garden & drive way.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site lies within a residential estate and comprises a dwellinghouse with an open strip of land to the side. At the time of my visit the strip appeared somewhat overgrown with long grass and plants growing on it, together with 3 saplings covered by a Tree Preservation Order. The strip forms part of one side of a parking court with garages and driveways wrapping around three sides.
4. Within the immediate area of the appeal site there is little open green space visible. Although there is some open land along a footpath to another part of Perrysfield Road a short distance away, this is not visible from within the parking court.
5. The open strip of land within the appeal site therefore makes a valuable contribution to the character of the area, significantly softening the appearance of the parking court by creating a visual break and relief in the expanse of parked cars and garages.
6. The proposed development would retain part of the strip as open grassland. However, it is proposed to enclose part of the area with a solid wooden fence and plant a low level hedge. As a consequence more than half of the area of the strip would be lost to public amenity. The proposed low level hedge would not sufficiently mitigate the harm through the loss of so much of the open

space, the value of which is derived in significant part from the size of the area and current lack of enclosure.

7. I therefore find that the proposal would be visually detrimental to the character and appearance of the area. It is therefore contrary to policies H6, HD14, HD17 and HD21 of the Broxbourne Local Plan Second Review 2001-2011 which when taken together seek to prevent the loss of open land where that would be visually detrimental to the amenity of the wider area. These policies are in accordance with the design criteria of the National Planning Policy Framework, and therefore there is no conflict between local and national policy.

Other matters

8. My attention has been drawn to the difference in the proposed development from that considered by a colleague in 2014¹. I note that the extent of land to be enclosed has been reduced from the previous proposals, and that the mature trees that stood on the site at that time have been removed, but I do not consider that this overcomes the harm from the loss of open space in this location. In any case, each appeal must be assessed on its own merits, which is what I have done.
9. The appellant contends that the proposed development will prevent fly tipping to this area. Be that as it may, I have been presented with no cogent evidence of this occurring. In any event, it would not be a reason in itself to allow the proposal, given the harm that I have found.
10. The appellant has also suggested that the proposed development would reduce trespassing arising from parking along the edge of the area. However, no detailed evidence of this has been submitted with the appeal, and during my site visit I did not observe any trespass occurring. It would not be sufficient, in any case, to overcome the harm arising from the proposed development identified above.

Conclusion

11. For the reasons outlined above, the appeal is dismissed.

M Chalk

INSPECTOR

¹ Appeal reference APP/W1905/A/14/2221953