
Appeal Decision

Site visit made on 8 October 2019 by Emma Worby BSc (Hons)

by Andrew Owen BA (Hons) MA MRTPI

appointed by the Secretary of State

Decision date: 15th November 2019

Appeal Ref: APP/W1905/D/19/3234700

19 Cameron Drive, Waltham Cross EN8 8BP

- 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 Mustaf Pnishi against the decision of Broxbourne Borough Council.
 - The application Ref 07/19/0364/HF, dated 16 April 2019, was refused by notice dated 17 June 2019.
 - The development proposed is a double storey side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The decision notice and the Council's officer's report refer to the property neighbouring the proposed development as No.20, and in the plans and statement of case submitted by the appellant this same property is referred to as No.21. During the site visit it was noted that this neighbouring property is actually No.17 Cameron Drive and therefore I have considered the proposals impact in relation to this dwelling.

Main Issue

4. The main issue in the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal site is occupied by a two-storey end-of-terrace dwelling with the surrounding area strongly characterised by small groups of terraced dwellings. The property currently has a single storey side extension that is similar in style and materials to a conservatory. This extension follows the shape of the site, which is relatively narrow to the front and wider to the rear, and adjoins the single storey side projection of the neighbouring property, No.17. The proposed development would replace this side extension with a two-storey side extension with a similar narrow frontage and which gets wider towards the rear.

6. Although the proposed extension would be relatively narrow at its front, due to its two-storey nature and its position on the boundary, it would erode the existing space at first floor level between the appeal property and the neighbouring property, both of which are end-of-terrace dwellings. A small gap would remain, above the single storey side projection at No. 17, however this would be minimal. The extension would create a more substantial terracing effect which would be out of keeping with the nature of the surrounding area. I note that the proposal has been stepped back and lowered from the ridge to reduce the terracing effect, however these design features are negligible and would not sufficiently reduce the impact of the proposal upon the streetscene.
7. The proposal would sit in the same location as the existing single storey side extension. However, it would have a significantly greater depth and height and so would appear dominant and overbearing when compared to the existing extension. The appellant has stated that the proposal would improve the living conditions of the occupiers of the appeal site and would put the land into effective use, however this would not outweigh the harm identified to the character and appearance of the area.
8. For the reasons above I consider that the proposed development would be harmful to the character and appearance of the area and therefore would be contrary to Policies H8, HD13 and HD16 of the Borough of Broxbourne Local Plan (2005) and Policy DSC2 of the Draft Local Plan (2017), which collectively seek to provide good quality residential development with a high quality design which respects the character of existing buildings.

Other Considerations

9. The appellant has highlighted two other sites within the vicinity of the appeal site, which have been granted planning approval for two-storey side extensions. Although it is noted that these are similar to the proposal before me, those extensions do not directly adjoin the boundaries of their neighbouring properties and instead are separated by either a road or a footway. Therefore, the circumstances of these cases are materially different.
10. The Council refer to the impact upon the occupiers of the neighbouring dwelling in their decision notice but do not substantiate it within the officer's report. Indeed that states that the development would not harm neighbour's amenity. I have no reason to come to a view contrary to the officer's considered report.

Conclusions and Recommendation

11. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeals Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR