



Appeal Decision

Site visit made on 4 September 2020

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 22/09/2020

Appeal Ref: APP/W1905/W/20/3249225

84 Amwell Street, Hoddesdon EN11 8UA

- 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 C Altoft against the decision of Broxbourne Borough Council.
 - The application Ref 07/19/0669/F, dated 29 July 2019, was refused by notice dated 23 September 2019.
 - The development proposed is replacement of existing garage with workshop.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Broxbourne Local Plan 2018-2033 (BLP) was adopted in June 2020 and supersedes policies in the Borough of Broxbourne Local Plan Second Review 2001-2011. I have had regard to the relevant BLP policies cited by the main and interested parties.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of occupiers of neighbouring properties on North Road, with particular regard to outlook, noise and disturbance.

Reasons

4. 84 Amwell Street operates as a car servicing business with the main workshop space contained within a large rear extension. The appeal site comprises a flat roofed brick garage and part of the yard to the rear of the main workshop. At the time of my site visit, there were two cars parked inside the garage with another in front being serviced. Cars were on ramps within the main workshop. I observed noises associated with the workshop use, including radio music and the operation of the ramps.
5. To the east of No 84 and the appeal site is terraced housing on North Road. The rear gardens of the housing at Nos 38-46 North Road are short and are separated from the appeal site by a narrow footpath. The existing garage protrudes a short distance above the boundary fences. I visited 44 North Road during my site visit and noted that the top of the garage can be seen from the rear garden as well as windows to habitable rooms on the rear elevation.
6. Compared to the existing garage, the proposed replacement workshop would have an increased eaves height at 3 metres and a pitched roof giving an overall increase in height of approximately 2 metres. As a consequence, the

replacement workshop would be significantly taller than the existing garage. The intervening public footpath is narrow and the pitched roof sloping away from the boundary would only partly reduce the overall additional bulk. As a result, the workshop would appear oppressive and overly dominant when viewed from the rear elevations and gardens of nearby properties on North Road, particularly Nos 42-46. Thus, it would have a harmful effect on the living conditions of occupiers of these properties in terms of outlook.

7. The existing car servicing business already generates noise and disturbance close to the North Road properties. It is plausible that the existing garage can be used for testing vehicle engines and other noise and fume generating activities. However, the replacement workshop would include a ramp to raise cars up for servicing. Noises and fumes relating to the use of the workshop would be noticeable externally, particularly if the workshop door was open. As a modern facility, it is feasible that the workshop would be used more frequently and intensively than the existing garage. Thus, there would be a degree of harm to the living conditions of occupiers of neighbouring properties in terms of noise and disturbance.
8. Noise survey data would have helped to clarify the levels of additional noise, but this information does not exist as far as I am aware. It could be requested by condition, although it is not clear whether the survey data would demonstrate a satisfactory impact. A condition controlling the hours of use would provide some mitigation against the additional noise and disturbance. However, based on the hours put forward, the workshop would be operational throughout the working day and also on Saturday mornings. As a consequence, there would still be some negative effects on neighbouring occupiers.
9. In conclusion, the proposed development would have a harmful effect on the living conditions of occupiers of neighbouring properties on North Road with regard to outlook, noise and disturbance. Therefore, it would not accord with BLP Policies DSC1, EQ1 and EQ4 which, amongst other things, require a high standard of design and the avoidance of negative impacts on amenities in terms of outlook, noise and odour. The development would also not accord with paragraph 127 of the National Planning Policy Framework which seeks a high standard of amenity for existing and future users of places.

Conclusion

10. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Tom Gilbert-Wooldridge

INSPECTOR