



Appeal Decision

Site visit made on 5 October 2020

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25/11/2020

Appeal Ref: APP/W1905/W/20/3254124

1 Bosanquet Road, Hoddesdon EN11 0HT

- 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 J Housein against the decision of the Borough of Broxbourne Council.
 - The application Ref 07/19/0836/F, dated 4 September 2019, was refused by notice dated 11 December 2019.
 - The development proposed is the construction of three terraced houses each with three bedrooms.
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Decision

1. The appeal is allowed and planning permission is granted for three terraced houses, each with three bedrooms, at 1 Bosanquet Road, Hoddesdon EN11 0HT, in accordance with the terms of the application ref 07/19/0836/F, dated 4 September 2019, subject to the attached schedule of conditions.

Procedural Matter

2. The Council's decision refers to policies in the Borough of Broxbourne Local Plan Second Review 2001-2011 (December 2005). However, those policies are now superceded. I have therefore considered the scheme against policies in the Broxbourne Local Plan (June 2020) ('BLP').

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

Character and appearance

4. Bosanquet Road is a short highway, but contains a mix of detached and semi-detached buildings, which are one or two storeys high, and of diverse design. Many sit behind hard surfaced areas, with little or no soft landscaping. The layout and appearance of the surrounding area is equally varied, and includes terraces close to the highway on Rye Road, a terrace behind a parking forecourt on Salisbury Road and an apartment building to the rear of this site.
5. The proposed terrace would have a greater scale and mass than the bungalow it would replace. However, having regard to drawing no. 18/1746/103 Rev A, it would have a ridge height broadly similar to 3 Bosanquet Road ('No 3'), and to other two storey buildings nearby.

6. Storage bins could be hidden from view in each of the proposed houses' stores. Although the scheme's frontage would be dominated by car parking, that arrangement is not uncommon in the area and landscaped front gardens are not a distinctive characteristic of the locality.
7. Each dwelling's front door would be located in a side-facing wall, and would be partially hidden from the streetscene. However, many other properties in Bosanquet Road do not have front doors facing the highway, and their lack of prominence here would not appear incongruous. The windows in the front projecting sections of the building would respect the style and appearance of the windows in the rest of its front face. Given their size, they would be proportionate to, and would not dominate, the building's front elevation.
8. Whilst the footprint of the proposed building would be larger than the bungalow it would replace, it would leave undeveloped areas to the front, and particularly in the gardens to the rear.
9. In the context of this diverse area, the proposal would not appear out of place, and it would not harm its character and appearance. It would not therefore conflict with BLP Policies DSC1 and TM6. In broad terms, they require a high standard of design which, wherever possible, enhances local character and distinctiveness and achieves a coherent layout; and require crossovers and dropped kerbs not to harm the streetscene.
10. BLP Policy DSC6 which seeks to design out crime, is not directly relevant to the main issue in this appeal.

Other matters

11. Many dwellings in the area do not have any off-road parking, and as evidenced by interested parties' representations, on-road parking space is in high demand. Whilst this scheme would make provision for two off-road parking spaces per dwelling, if those spaces were occupied, there would be only limited pedestrian circulation space around them – including for refuse collection.
12. However, this location is reasonably close to many services, where future occupants would not necessarily be reliant on the private car to meet their day to day needs. Thus, even if only one car could reasonably be parked off-road per dwelling, given the accessibility of the location, that would be adequate.
13. I have no cogent reason to disagree with the conclusion in the officer report that Bosanquet Road is not a busy thoroughfare or 'rat run'. There would be only limited additional vehicular movements as a result of two extra dwellings. Whilst I have had regard to BLP Appendix B, for the above reasons, the parking and access arrangements, including the three crossovers, would not cause significant harm to the safety or convenience of highway users. The scheme would not therefore conflict with BLP Policies TM2 and TM5.
14. To the rear, No 3 has a single storey section close to the side boundary with this site. However, the proposed building would be set in from that boundary, and its rear elevation would not project so significantly beyond that property as to cause its occupants a harmful loss of light to, or outlook from, the windows in its principal elevations. The scheme, as depicted, has no side facing windows, and the view from the windows in its rear face would be predominantly down the proposed dwellings' own rear gardens.

15. I acknowledge the distress that would be caused to local residents, some of whom are elderly, during construction. However, disruption as a result of matters such as noise and pollution, would be temporary; and could be mitigated by the implementation of a Construction Environmental Management Plan. Reasonable occupation of the proposed units would not cause significant noise disturbance. As the scheme would not impact nearby occupiers' living conditions to a harmful degree, it would not conflict with BLP Policy EQ1.
16. I have no persuasive evidence that local services, such as drains, or education and health facilities, would not cope with the additional pressure arising from this small scheme; and no detailed information to indicate whether there is a need for any particular tenure of housing here.

Conditions and Conclusion

17. The Council has suggested various conditions in the event that the appeal is allowed. I have considered these against the tests in the National Planning Policy Framework, making amendments where necessary to improve precision, clarity and enforceability. I have imposed the standard time limit condition and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans.
18. The Council has proposed a 'pre-commencement' condition requiring the submission of a Construction Environmental Management Plan. This condition, which the appellant was given an opportunity to comment on, is necessary to protect local residents' living conditions and visual amenity from the outset of the development. My condition includes a requirement for the approval of hours of all construction/demolition works, ancillary operations and vehicle movements, which broadly addresses the Council's fourth suggested condition.
19. My condition no. 4 is necessary to protect the character and appearance of the area. I have however added an implementation clause to the Council's suggested conditions addressing this matter. Condition no. 5 is necessary in the interests of the safety and convenience of highway users.
20. Ground floor side-facing windows would not cause significant overlooking of neighbouring properties, and any first floor windows would be subject to the restrictions at Part 1 Class A of the General Permitted Development (England) Order 2015 (as amended). The Council's condition no. 8 is therefore unnecessary to safeguard neighbouring privacy.
21. For the above reasons, the scheme would not harm the character and appearance of the area. Consequently, having regard to all other matters raised, including representations by interested parties, the appeal is allowed.

Chris Couper

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following plans: 18/1746/101 Rev B, 18/1746/102 Rev A, 18/1746/103 Rev A and 18/1746/104 Rev A.
3. No development shall take place, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the local planning authority. The Plan shall provide for:
 - Measures to reduce dust and dirt during construction;
 - Site hoardings;
 - Arrangements for parking and deliveries within the site;
 - Site/Plant security; and
 - Proposed hours of all construction/demolition works and ancillary operations, including vehicle movements on site.The approved Construction Environmental Management Plan shall be adhered to throughout the construction period for the development.
4. No development above ground level shall commence until details/samples of the materials to be used in the construction of the external elevations and roofs of the building, and all other surfacing materials of the development hereby permitted, have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details/samples.
5. The land indicated on the drawings for the parking of vehicles shall be provided in accordance with those drawings prior to the first occupation of the dwellings, and shall be kept available for that purpose thereafter.
