



Appeal Decision

Site visit made on 12 April 2021

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2021

Appeal Ref: APP/W1905/D/20/3262143

111 Downfield Road, Cheshunt EN8 8SS

- 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 Vasil Gkioka against the decision of the Borough of Broxbourne Council.
 - The application Ref 07/20/0178/HF, dated 23 February 2020, was refused by notice dated 6 May 2020.
 - The development proposed was originally described as: 'I am looking to apply for a dropped kerb. The land on which the driveway has been build is currently designated as amenity land'.
-

Decision

1. The appeal is allowed, and planning permission is granted for a dropped kerb and driveway at 111 Downfield Road, Cheshunt EN8 8SS, in accordance with the terms of application Ref: 07/20/0178/HF, dated 23 February 2020. No conditions are necessary because the work has already been implemented.

Procedural Matters

2. In allowing the appeal, I have changed the description of development to make it more concise and relevant. In making this change, I am satisfied that the interests of the main parties have not been compromised.
3. At the time of my visit to the site, it was apparent that the work had been completed, however, this has had no bearing on my findings for the appeal.
4. Since determining the application, the Council have adopted the Broxbourne Local Plan (2020) (LP). Accordingly, the Council was asked to clarify the relevant policies for the decision, and any implications they may have for the appeal.

Main Issue

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

Reasons

6. The appeal site consists of a mid-terrace, two storey dwelling, set back from the road. The surrounding area is suburban in character, with houses set back behind wide green verges, and interspersed with areas of open space. Accordingly, the area generally benefits from an open layout, and to the front of the houses, there is a mixture of front gardens and driveways. Where

driveways exist in the immediate surroundings, many of them derive from a previous planning permission which resulted in the change of use from amenity land to residential curtilage, and I note that as part of this approval, permitted development rights for further hardstanding was removed. However, where the driveways exist, they remain subservient to the established open and verdant surroundings and represent incidental events in the streetscape.

7. The proposal would be seen within this context and would be set within a terrace of houses where there is a mixture of front gardens and driveways. Despite the extent of hardstanding proposed, due to the abundance of landscaping in the form of verges, gardens and open space, it would remain subservient to the prevailing open, verdant character.
8. Due to the nature of the surrounding area, the Council have developed design guidance relating to the construction of new driveways in the Russells Ride estate. I have been provided with a copy of this guidance which advocates means of providing driveways that complement the character of the surrounding streetscape. When assessed against the requirements of this document, it is apparent that the proposal would be in conflict with it. However, despite this, no information has been provided to confirm whether the document is a formal supplementary planning document, or whether it was subject to any public consultation. In the absence of such detail, although it provides useful context, I only attribute limited weight to its requirements.
9. The LP requires proposals to take into account existing patterns of development. Based on my analysis above, despite the conflict with the design guidance, I am satisfied that the proposal would fulfil this requirement. Whether or not a new driveway would result in further requests for similar development would be a matter for the Council to assess in due course. However, due to the prevailing verdant surroundings and the small scale of the proposal, it would not dominate the street scape. Instead, it would represent an additional incidental area of hardstanding set within a pleasant suburban environment.
10. I therefore conclude that the proposal would not harm the character and appearance of the surrounding area. As a consequence, it would comply with Policy DSC1 of the LP which expects a high standard of design that takes into account existing patterns of development.
11. The Council have also made reference to Policy H8 of the LP but as this policy relates to residential annexes, I find that it is not relevant to the main issue.

Conclusion

12. The appeal should be allowed, and planning permission be granted.

Martin Chandler

INSPECTOR