
Appeal Decision

Site visit made on 19 October 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st November 2021

Appeal Ref: APP/W1905/W/21/3272190

72 Stanstead Road, Hoddesdon EN11 0RL

- 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 M. Geles against the decision of Broxbourne Borough Council.
 - The application Ref: 07/21/0113/F, dated 3 February 2021, was refused by notice dated 23 March 2021.
 - The development proposed is an outdoor eating area to existing café.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the development upon the character and appearance of the surrounding area.

Reasons

3. The appeal site consists of a café set back from the highway edge. This set back is reflected on many other sites within the surrounding area. It is located within a terrace in which the buildings have a number of significant similarities in terms of design and appearance. This degree of similarity makes a significant contribution to the area's character.
4. The appeal proposal consists of the erection of an enclosed canopy to the front of the building. In consequence, this would significantly change the form of the existing building given that it would feature a projection to the front elevation constructed from contrasting materials. This would conflict with the existing regular proportions of the appeal site and other buildings in the terrace.
5. In addition, a significant feature of the appeal site and the surrounding area is the relatively uniform appearance between buildings. As the buildings, by reason, of their positioning would be viewed alongside one another, the construction of the proposed development would lead to an erosion of the character of the appeal site's environs.
6. The proposed development would result in a projection in front of the existing building. This would significantly reduce the gap between the building and the highway edge. In result, the proposed development would erode the character of open areas in front of buildings.
7. The structure would feature some gaps through which views could be gained. However, despite this, the massing of the development would be readily

perceptible and, in consequence, the adverse effect on the area's character would be readily apparent.

8. This is a concern given the prominence of the appeal site. The road features many other businesses and therefore a relatively significant number of passers-by can be anticipated. In addition, the general topography of the surrounding area is such that views of the proposed development would be readily apparent from several different vantage points in the surrounding area. This would render the incongruous form of development strident. As such, the development would be readily apparent.
9. The surrounding area features some items of street furniture. However, these are constructed to different forms and designs when compared with the appeal proposal. In consequence, they have differing effects. I therefore do not find that the presence of such street furniture overcomes my previous concerns.
10. Whilst the appeal site is not within a Conservation Area and is not a listed building, the appeal site and the surrounding area has a distinctive character, which would be eroded through the proposed development.
11. My attention has been drawn to another development elsewhere in the surrounding area. I do not have the full information regarding the planning circumstances of this, which lessens the weight that I can attribute to it. Nonetheless, I note that this development is located within an area where buildings have much more variety in appearance. This means that the existing extension when viewed against this backdrop does not have the same effect upon the character and appearance of the surrounding area as the appeal proposal would have. I therefore do not find that the presence of this existing development allows me to disregard my previous concerns.
12. The proposed development would increase the capacity within the existing business and therefore, potentially, result in a greater amount of economic activity. Whilst this would be of some benefit, the overall increase is unlikely to be significantly large owing to the nature of the proposed development. Therefore, the economic benefits are outweighed by the previously identified harm.
13. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with Policies DSC1, DS2 and DSC8 of the Broxbourne Local Plan (2020). Amongst other matters, these seek to ensure that new developments enhance local character and distinctiveness; do not impact upon the wider setting; and respect the scale and character of the building and the adjoining buildings.

Other Matter

14. The appeal proposal would not impinge upon the movement of pedestrians or highway safety. Whilst this is a matter of note, these are only some of all the issues that must be assessed. I therefore do not find that this overcomes, or outweighs, my findings in respect of the main issue.

Conclusion

15. The proposal would therefore have an adverse effect upon the character and appearance of the surrounding area. The scheme would therefore conflict with

the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR