



Appeal Decision

Site visit made on 29 November 2021

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2021

Appeal Ref: APP/W1905/W/21/3278341

24 Stains Close, Cheshunt EN8 9JL

- 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 Thom Ellis against the decision of Broxbourne Borough Council.
 - The application Ref 07/21/0307/HF, dated 11 March 2021, was refused by notice dated 11 May 2021.
 - The development proposed is an outbuilding garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect upon the character and appearance of the area; and
 - The effect upon the living conditions of neighbouring occupiers, having particular regard to outlook.

Reasons

Character and appearance

3. The appeal property is comprised of a ground floor maisonette that is set upon a large plot that contains an area for parking to the front. Stains Close (the Close) is typified by the presence of semi-detached sets of maisonettes as well as blocks of low-rise terraced housing. Properties tend to be setback broadly consistent distances from the highway and to be located upon generously size plots that are often well-planted. Thus, notwithstanding the existence of an industrial estate beyond concrete walling to the east, a formal, spacious and green residential character and appearance remains readily identifiable local to the site.
4. Although there is an intention to retain space for parking to the front of the site, the proposed garage's footprint would be set, almost in its entirety, forward of the appeal property's front building line. Whilst to be of single-storey height with a low-level roof, and to be constructed from brickwork to match existing, the garage, owing to its forward positioning, would appear as an unduly prominent and discordant addition to the streetscene. This is even when acknowledging the implications for visibility of the Close's bending alignment.

5. Although adjacent planting could be anticipated to soften views of the new garage to some degree, due to it being ever evolving and reliant upon continuous maintenance to retain a consistent form, planting could not be relied upon to provide a solid barrier or buffer to views.
6. I have noted reference to other detached garages in place along the Close. However, no such addition directly corresponds to that now proposed at the appeal site. Moreover, at No 16, a significant portion of its garage is set behind the front building line of the host property whilst, from southern vantage points, it is viewed against the immediate backdrop of a neighbouring commercial building. As such, the garage at No 16 does not appear as an unduly prominent feature. Meanwhile, at No 25, its garage occupies a discreet location at the end of a short cul-de-sac. Thus, unlike how the proposal now before me would be viewed, it is not experienced as development that meaningfully reduces the residential area's spaciousness.
7. I note that, upon inspection, other visible structures to the front of properties along the Close tended to appear as ancillary and low-key additions not directly comparable, in scale or footprint terms, to the garage now before me for determination.
8. For the above reasons, the proposal would cause harm to the character and appearance of the area. The scheme conflicts with Policies DSC1 and DSC2 of the Broxbourne Local Plan (June 2020) (the Local Plan) in so far as these policies require development proposals to enhance local character and distinctiveness and to take into account existing patterns of development.

Neighbouring living conditions – outlook

9. The proposed garage would be of low height and incorporate a flat roof. Whilst it would be positioned immediately alongside neighbouring garden spaces, I am satisfied that it would not appear as overbearing even when experienced at close quarters. Indeed, no undue loss of outlook would be caused to neighbouring occupiers. As such, without prejudice to my above findings, the proposal would have an acceptable effect upon the living conditions of neighbouring occupiers having particular regard to outlook.

Other Matters

10. I have noted objections/concerns raised with respect to matters including the effects upon natural light, privacy and highway safety. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to explore these matters further here. I also note that any advice received from the Council at pre-application stage would have been offered at officer level without prejudice to any future formal planning decision.

Planning Balance

11. The proposal would bring about an improvement to the local housing stock through the provision of increased garaging. However, even when factoring in the set away location of the property's current garaging and the lack of facilities that I am led to understand exist there (including no access to power), any associated benefits, including in a security sense, would attract limited weight given the limited extent of new garaging that is under consideration.

12. It has not been clearly demonstrated why electric vehicles could not potentially be charged on site in the absence of the proposed garage. Thus, any possible future benefits in this sense attract minimal weight.
13. The scheme's benefits would be modest and insufficient to outweigh the considerable harm that would be caused to the character and appearance of the area. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

14. For the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR