
Appeal Decision

Site visit made on 28 February 2022

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 17 MARCH 2022

Appeal Ref: APP/W1905/D/21/3287031
95 Leaforis Road, Chestnut EN7 6NF

- 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 Conor Jones against the decision of Broxbourne Borough Council.
 - The application Ref 07/21/0859/HF, dated 5 July 2021, was refused by notice dated 21 October 2021.
 - The development proposed is retrospective permission for loft conversion of rear dormer.
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Decision

1. The appeal is allowed, and planning permission is granted for retrospective permission for loft conversion of rear dormer at 95 Leaforis Road, Chestnut EN7 6NF in accordance with the terms of the application, Ref 07/21/0859/HF, dated 5 July 2021.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host dwelling and wider area.

Reasons

3. The appeal site comprises a two-storey, terraced house. As a collection of cul-de-sacs the residential development is often orientated in a number of directions so that at any time one might be looking at the front, side and rear facades of a number of dwellings.
4. The development as constructed is a dormer set into the rear roof slope. It is set back from the eaves lines, set in from the end of the terrace and set down from the ridge of the main roof. It is finished in tiles to match the existing roof and has a single, rear-facing window. Its design and location are entirely conventional, and the dormer appears as a subordinate element of the host dwelling. Whilst it is visible from the public realm it reflects a number of other similar extensions within the area and does not appear obtrusive in the wider setting.
5. I find that the development is acceptable in respect of its effect on the character and appearance of the host dwelling and wider area. It therefore complies with Policies DSC1 and DSC2 of the Broxbourne Local Plan (2018-

2033) which collectively seek development to be of a high quality design which reflects the character and design of the building.

Other matters

6. Permitted development rights are restricted within the area by way of a condition attached to the permission granted for the housing development in the 1980s. The acceptability or legality of the condition is not before me as part of this appeal.

Conclusion

7. I am satisfied, on the basis of what I have seen, that the proposed development is acceptable in all other respects and the proposal complies with the development plan when taken as a whole. In view of this and as the development has been completed, no conditions are necessary.
8. For the reasons above I conclude that the appeal is allowed.

J Ayres

INSPECTOR