
Appeal Decision

Site visit made on 20 September 2022

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th October 2022

Appeal Ref: APP/W1905/D/22/3299211

7 Biggs Grove Road, Cheshunt, Herts EN7 6XX

- 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 Patrick Jokhoo against the decision of Broxbourne Borough Council.
 - The application Ref 07/22/0126/HF, dated 3 February 2022, was refused by notice dated 28 March 2022.
 - The development proposed is for gates to the frontage of the driveway.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Notwithstanding the description of the proposal, it is clear that the appeal scheme includes the erection of railings as well as gates.

Main Issue

3. The main issue in this appeal is the effects of the proposal on the character and appearance of the area.

Reasons

4. The appeal relates to this detached 2 storey house which is located within a residential area. The area (Higgins Road and the roads running off it) is made up of houses of recent construction in a variety of styles and forms including detached houses and terraces. Whilst the designs vary, a common theme within the area that I observed is that the great majority of houses have frontages which are significantly open and provide parking for cars. Some frontages have an element of planting. Contrary to the appellant's assertion, I consider that the open style of the frontages is a distinct characteristic of the houses within this area and adds positively to its character and appearance.
5. There are some examples of houses which have the privacy of their rear gardens protected by fencing/walls of a height sufficient to prevent overlooking. These occur where houses are sited on corners and are not provided across the frontages. In my judgement these are not similar to the appeal scheme.
6. The proposal would involve the provision of metal railings and sliding gates of 1.74m height across the entire frontage of the appeal site (around 14m in

width). I consider that this would have a considerable visual presence within the street-scene and would not harmonise with the character and appearance that I have observed. Notwithstanding that the house is taller and set on slightly higher ground, when seen within the locality, I consider that the proposal would have a significant and negative effect on the open character of the frontages within this area.

7. The appellant seeks to draw support from the Council's Supplementary Planning Guidance. Whilst I accept that the gates and railing would allow views through and that they would define the boundary, I consider that the overwhelming visual effect would be negative, for the reasons set out. I did observe some much lower railings and a gate within frontages of the area but these have a considerably less impact on the area than the appeal scheme would.
8. The appellant also refers to the possibility of constructing gates and railings under Permitted Development. These would be to a maximum height of 1m and so would have considerably less impact than the appeal scheme. As such, this has little effect on my consideration of the appeal scheme.
9. I have taken account of all other matters raised but find that the proposal would have a detrimental effect on the character and appearance of the area. These effects would not be outweighed by any benefits that the proposal may bring with it. As a consequence, the proposal is contrary to Policies DSC1 and DSC2 of the Broxbourne Local Plan and there are no other matters that outweigh that conflict. Therefore, the appeal is dismissed.

T Wood

INSPECTOR