



Appeal Decision

Site visit made on 24 October 2022

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2022.

Appeal Ref: APP/W1905/W/22/3291886

22 Benford Road, Hoddesdon, Hertfordshire EN11 8LL

- 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 A. Trigger against the decision of the Broxbourne Borough Council.
 - The application Ref 07/21/1151/F dated 20 September 2021, was refused by notice dated 18 November 2021.
 - The development proposed is described as erection of site hoarding, construction of 2 bed detached dwelling with associated landscaping and parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Land ownership has changed during the determination of this proposal. Whilst Ownership Certificate B was submitted with the application I understand that the Appellant is now the owner of the appeal site. Taking a pragmatic approach I do not believe that any party has been prejudiced or caused any injustice by me proceeding with the appeal in light of this correction.
3. The reason for refusal cites conflict with Local Plan Policies and the National Planning Policy Framework (2019). The Council have confirmed that Policies HD13, HD14 and HD16 have been superseded by the Broxbourne Local Plan 2018-2033 (2020) (the Local Plan). The Case Officer Report confirms that the proposal was assessed against the National Planning Policy Framework (2021) (the Framework). Notwithstanding the inaccuracies within the decision notice I shall proceed with the appeal having regard to the current planning policy position.
4. An amended plan was considered by the Council prior to the determination of the planning application which included 2 parking spaces within the site. I have therefore considered this appeal on the basis of the plans submitted: 20/4145/101 Rev B, 20/4145/102 Rev J and 20/4145/103 rev. F.

Main Issue

5. The main issue in this appeal is the effect of the proposed development on the character and appearance of area.

Reasons

6. The site is within a predominantly residential area and comprises a corner plot. Properties in the area are a mix of detached dwellings and bungalows. The existing two storey properties in the area in general have an architectural rhythm with similar materials. Notwithstanding this I observed during my site visit that some properties have been altered and extended.
7. The proposed development would introduce a 2 bedroom two storey property onto a corner plot. The proposed development would respect the building line of the adjacent property No. 24 Benford Road and be set back from the frontage of No. 22 Benford Road.
8. The proposed dwelling would be narrower than other two storey properties in the immediate vicinity, which in general extend the majority of the width of their plots. Properties in the area do not have architectural merit, however there is a harmony to the design and layout of the area. The bland and unsympathetic design of the proposed dwelling on the prominent corner plot would look incongruous to the streetscene.
9. I conclude that the proposed development would harm the character and appearance of area. There is conflict with Policies DSC1 of the Local Plan which amongst other things seek to achieve good design respecting character and design and be appropriate to the local context and site.
10. There is conflict with the Framework which seeks to secure good design which adds to the overall quality of the area.

Other Issues

11. The Council have referenced in their Appeal Statement that the proposed development would harm the living conditions of potential occupiers of the proposed development. Whilst this has not been raised as a reason for refusal, I am mindful that the proposed development does not comply with separation distances outlined in the Borough-wide Supplementary Planning Guidance (2004).
12. The reduced separation distance between the rear elevation of the proposed dwelling and No. 24 Benford Road would affect the outlook of future occupiers. Notwithstanding this on its own I do not consider the effect the development would have on future occupiers to be a reason for refusal.

Planning Balance

13. The Council confirm that they have only delivered 74% of its assessed housing need. In accordance with the Framework there is therefore a presumption in favour of allowing new residential development.
14. The proposal would result in benefits in terms of providing much needed additional housing, which could be delivered quickly, in a sustainable location. The proposal would also have economic benefits through the creation of employment opportunities during the construction phase of the development and spending in the local area by future occupiers. Collectively these benefits attract weight in favour of the proposal, given the shortfall in housing delivery.
15. Whilst the Framework clearly indicates a presumption in favour of new residential development, the concerns that I have about the character and appearance of the area and the conflict with Policy DSC1 of the Local Plan

along with the effect of the living conditions for future occupiers weigh against the proposal. In balancing these matters, I consider that the harm that I have identified, outweighs the Borough wide requirement for new housing.

Conclusion

16. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR