



Appeal Decision

Site visit made on 8 February 2023

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2023

Appeal Ref: APP/J1915/D/22/3303570

Chirchfeld, Moor Green Road, Ardeley, Hertfordshire SG2 7AP

- 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 Mick Dedman against the decision of East Hertfordshire District Council.
 - The application Ref 3/22/1039/HH, dated 17 May 2022, was refused by notice dated 12 July 2022.
 - The development proposed is construction of a detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a detached garage at Chirchfeld, Moor Green Road, Ardeley, Hertfordshire SG2 7AP in accordance with the terms of the application, Ref 3/22/1039/HH, dated 17 May 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: OS Plan B&W and MD-001-22/A.

Preliminary Matters

2. The parties have used differing variations for the spelling of the name of the property to which the appeal relates. The appellant has confirmed that the correct spelling is "Chirchfeld". This is the spelling used in the appeal form, the appellant's statement and the plans that are before me. I have therefore used this spelling in the banner heading and formal decision above.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site comprises a detached two storey dwellinghouse and its associated curtilage located on the eastern side of Ardeley. The village is relatively small, however in the vicinity of the appeal site there are a mix of detached and terraced houses of differing sizes and styles.
5. Along with its immediate neighbours, the host dwelling contributes to a consistent building line on the northern side of Moor Green Road. The dwellings here are set back from the highway by relatively open front gardens and the highway verge. The verge varies in width however as the road splays away

from the building line and it is considerably wider to the front of the appeal site. The neighbouring dwelling (Mead Farm) to the east of the appeal site diverges from this layout however, stepping forward of the front elevation of the host dwelling. The boundaries of this neighbouring property are lined with mature vegetation that sits within the backdrop of the appeal site.

6. The proposed double garage would be located to the front of the host dwelling, in the south-east corner of the plot, close to the site boundaries. The Council recognise that the general design, materials and scale of the proposed garage are broadly acceptable, and I agree with this assessment.
7. The proposal would be in a relatively prominent position within the plot and would sit forward of the building line. However, the appeal site sits at the end of this uniform frontage, which is terminated by the substantial vegetation adjacent and the positioning of Mead Farm. The space to the front of the appeal site is greater overall than elsewhere due to the alignment of the highway and the proposal would be viewed within the context of the mature vegetation behind and Mead Farm. This would somewhat limit its presence in views from the west along Moor Green Road.
8. In addition, I saw on my site visit that, even in winter months, the site of the proposed garage is considerably screened by existing mature vegetation along the verge when approaching from the south-east. In immediate views from this direction, it would also be seen with the larger host dwelling in its backdrop.
9. While it is not common for detached garages to be located to the front of dwellings on the north side of the road, there is a detached garage located to the front of a neighbouring dwelling on the south side. While I appreciate this example is better screened than the appeal proposal would be, this form of development is otherwise not an entirely alien feature in the immediate area.
10. I recognise that the proposal would result in the partial loss of the existing boundary hedge along the southern boundary of the site, removing potential screening. The Council considers it unlikely this would be replanted due to the limited space that would remain to the boundary. The appellant indicates it is likely to be re-instated. Even if it were not however, I do not consider this screening to be critical given my findings on the acceptability of the siting and design of the proposal.
11. In view of the above, I consider that the proposal would not harm the character and appearance of the area. It is therefore in accordance with policies DES4 and HOU11 of the District Plan. These policies, amongst other things, seek to ensure all development is of a high standard of design and layout to reflect and promote local distinctiveness, and residential outbuildings are appropriately sited and designed with regard to the character, appearance and setting of the existing dwelling and surrounding area. The proposal also complies with policy VILL3 of the District Plan, which seeks to ensure, amongst other things, that development in such villages relates well to the village in terms of location, layout and connectivity, is of appropriate scale, well designed and in keeping with the character of the village.

Conditions

12. In addition to the standard time limit condition, it is necessary to specify the approved plans as this provides certainty. Finishing materials are articulated on

the plans and indicated to match the main house. These are therefore secured by the approved plans condition.

13. The Council has suggested a condition to ensure the garage is used for ancillary residential purposes in connection with the host dwelling and not for commercial purposes or independent living accommodation. The garage building would be erected within the residential curtilage of Chirchfeld and there is no evidence before me to indicate it would be used as a separate dwelling. Planning permission would be required for any material change of use and so I do not consider this condition to be necessary.

Conclusion

14. For the reasons given I conclude that the appeal is allowed.

Ryan Cowley

INSPECTOR