



Appeal Decision

Site visit made on 1 August 2023

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2023

Appeal Ref: APP/W1905/W/23/3314064

53-57 Turners Hill, Cheshunt, Waltham Cross EN8 8NT

- 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 Jarock Properties Limited against the decision of Broxbourne Borough Council.
 - The application Ref 07/22/0860/F, dated 9 September 2022, was refused by notice dated 24 January 2023.
 - The development proposed is the extension of a second floor as well as alterations to the elevations to provide 4 flats (1 x 1 Bed, 2 x 2 Bed and 1 x 3 bed).
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Decision

1. The appeal is allowed and planning permission is granted for the extension of a second floor as well as alterations to the elevations to provide 4 flats (1 x 1 Bed, 2 x 2 Bed and 1 x 3 bed) at 53-57 Turners Hill, Waltham Cross EN8 8NT in accordance with the terms of the application, Ref 07/22/0860/F, dated 9 September 2022, subject to the conditions set out in the attached schedule.

Main Issue

2. The effect of the proposal on the character and appearance of the host building and wider street scene.

Reasons

3. The appeal site is located close to the Old Pond roundabout in a prominent location on Turners Hill, Cheshunt. The host building is a flat roof two storey building with retail units occupying the ground floor and accommodation above. I have noted that this residential use benefits from planning permission which was granted in 2017 for the prior approval change from office use to residential. In the wider street scene, I noted that several buildings are three storey and utilise a contrast of roof heights, design and materials.
4. Policy DSC1 requires proposals to enhance local character, taking into account existing patterns of development, urban form, building typology, height, roof form, materials and building lines, amongst other things. Policy CH3 states that proposals will be supported which create an improvement to the public realm, amongst other things.
5. The proposal would add a second floor over the original flat roof structure. This would remain lower than the next building in this row and would be of a similar height to other three storey developments in the immediate street scene. Alterations to the elevations are proposed, with all windows to be replaced with double-glazed aluminium units with a recessed decorative brickwork frame. The

existing first floor and the additional second floor would utilise a cream brick which would match the existing ground floor brick.

6. The proposal would be of a similar height and appearance to other buildings in the wider street scene. Given the presence of existing three storey buildings of a similar design and appearance in the street scene, I find that this proposal would not be unduly prominent, would follow a similar pattern of development and be of an appropriate scale and design. I also consider that the alterations to the elevations proposed would create an improvement to the public realm. Therefore, I consider that the proposal would comply with policies DSC1 and CH3 of the Broxbourne Local Plan 2020 which, amongst other things, seek to enhance local character through considering existing patterns of development, urban form, building typology, height, roof form, materials and building lines.

Other Matters

7. Concerns have been raised by interested parties about the impact on car parking provision and on the highway. There is no compelling evidence to demonstrate that the development would result in unacceptable harm in these respects. Neither the Highway Authority nor Council objected to the development on these grounds, and I see no reason to come to a different conclusion. Other concerns raised includes the impact on living conditions, disturbance to businesses, concerns relating to refuse and waste. However, there is no evidence to suggest that harm would arise from the development. Consequently, they do not lead me to a different overall conclusion that the appeal should be allowed.
8. Other concerns relating to rights of way are a private matter between individual parties and are outside the scope of the appeal.
9. I note that the Council have stated that a previous permission related to this appeal site was of a superior design. Nevertheless, I must assess the appeal before me on its own merits and find that the proposal would be in keeping with the street scene and comply with Policies DSC1 and CH3 of the Broxbourne Local Plan 2020.

Conditions

10. In addition to the statutory time condition, I have applied a plans condition and a materials sample condition for the interest of certainty. I have further included a condition requiring the submission of a Construction Management Plan. This combines the requests of the Council with that of the Highways Authority to include a Construction Management Plan and construction vehicle movement information. I have done this in the interest of conciseness and to ensure the condition is effective. This, and the materials condition must by necessity be discharged prior to commencement, as these must be agreed before the construction can take place. These conditions have been accepted by the appellant.
11. Furthermore, two conditions requesting the provision of cycle storage and refuse and recycle storage have been included. These have been imposed to promote alternative modes of transport and to ensure adequate refuse storage provision. These conditions must be satisfied prior to the first occupation of the development. I have amended the Councils suggested wording to ensure they are effective.

Conclusion

12. I conclude that there would be no unacceptable harm to the character and appearance of the host building and wider street scene. As such, the proposal would comply with the development plan as a whole. No material considerations have been shown to have sufficient weight to indicate that a decision should be taken otherwise. Therefore, I find that the appeal should be allowed.

J Smith MRTPI

INSPECTOR

Schedule

- 1) The development hereby permitted shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - A) 1450/01 – Site Location Plan
 - B) 1450/02 – Site Plan as Existing and as Proposed
 - C) 1450/03 – Existing Drawings
 - D) 1450/04 – Plans as Proposed
 - E) 1450/05 – Elevations as Proposed
 - F) 1450/06 – Axonometric Projections and CGIs
 - G) 1450/07 – CGI
- 3) No development shall commence until samples of the materials to be used in the construction of the external surfaces of the first floor and the second floor extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with these approved samples.
- 4) Details of a Construction Management Plan, which will include hours of work, details of construction vehicle movements, traffic management measures, the storage of materials and plant equipment, contractor parking arrangements and measures to reduce dust and dirt during construction shall be submitted and approved by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.
- 5) Prior to the first occupation of the second-floor extension, provision of cycle storage facilities shall be constructed as per the details set out in the Design and Access Statement and retained thereafter.
- 6) Prior to the first occupation of the second-floor extension, refuse and recycling storage shall be provided in accordance with the approved plans and retained thereafter.