



Appeal Decisions

Site visit made on 6 November 2023

by B S Rogers BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2023

Appeal A Ref: APP/W1905/C/22/3312431

30 Albury Grove Road, Cheshunt, WALTHAM CROSS, EN8 8NS

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended. The appeal is made by Miss Sarah Goodman against an enforcement notice issued by Broxbourne Borough Council.
- The notice, numbered ENF/22/0031, was issued on 10 November 2022.
- The breach of planning control as alleged in the notice is without planning permission, the erection of a front porch on the land.
- The requirements of the notice are: (i) remove, in its entirety, the porch from the land; and (ii) remove any resultant debris from the land.
- The period for compliance with the requirements is 3 months for step (i) and 4 months for step (ii).
- The appeal is proceeding on the grounds set out in section 174(2)(a) & (g) of the Town and Country Planning Act 1990 as amended.

Summary of Decision: The appeal is dismissed and the notice is upheld with a variation.

Appeal B Ref: APP/W1905/W/22/3312432

30 Albury Grove Road, Cheshunt, Hertfordshire, EN8 8NS

- 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 Miss Sarah Goodman against the decision of Broxbourne Borough Council.
- The application Ref: 07/22/0826/HF, dated 25 August 2022, was refused by notice dated 17 November 2022.
- The development proposed is the erection of a front porch.

Summary of Decision: The appeal is dismissed.

Decision

Appeal A

1. It is directed that the enforcement notice is varied by substituting "Six months from the date this notice takes effect" for the time for compliance with steps (i) and (ii). Subject to this variation, the appeal is dismissed and the enforcement notice is upheld.

Appeal B

2. The appeal is dismissed.

Appeal A ground (a) and Appeal B

3. The main issue in both appeals is the impact of the porch on the character and appearance of the street scene.

4. The appeal property is a small, semi-detached house in a mature residential area of Cheshunt. The street contains a variety of designs and facing materials and a number of dwellings have front porches as later additions. This a tightly-knit, pleasant street scene, characterised by the staggered blocks of long-established dwellings. The block of which no.30 forms part is angled to the road such that no.30 itself has a small forecourt of less than 2m deep at its minimum dimension.
5. The porch in question replaced a somewhat dilapidated timber porch of modest dimensions. It is built of brickwork which reasonably matches that of the house and has a tiled, hipped roof. It is of similar width to the previous porch but extends forward to within some 150mm of the highway at its closest point. Whilst the design and materials are acceptable in relation to the host dwelling, the size and proximity to the highway make the porch appear visually obtrusive in this context. To my mind, it conflicts with the pleasant rhythm and flow of the street scene.
6. Policy DSC1 of the Broxbourne Local Plan sets out the high standard of design required in new development. Policy DSC2 requires alterations to respect the character and design of the host building and of the wider setting. Whilst in another context the porch might have been considered acceptable, in the site-specific circumstances of this case, I find that its size and position so close to the road unduly harm both the character and appearance of the street scene, contrary to the aims of the development plan.
7. The appellant has pointed to the need to maintain wheelchair access to the dwelling. However, I have seen no persuasive evidence that such access could not be maintained by way of a smaller and less visually intrusive porch.
8. It is also noted that the Council has no concerns that the porch harms the amenities of neighbouring residents and I share this view.
9. In conclusion, the harm I have identified above outweighs any other factors and therefore the appeal on ground (a), the deemed application and Appeal B fail.

The appeal on ground (g)

10. The appellant seeks a compliance period of 12 months to allow professional advice to be taken. This appears excessive to me. However, to allow time for an alternative, acceptable scheme to be submitted to the Council, which may be able to use some of the structure already built, I consider a period of 6 months should be allowed. To this limited extent, the appeal on ground (g) succeeds and I shall vary the notice accordingly.

B S Rogers

INSPECTOR