



Appeal Decision

Site visit made on 5 December 2024

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 January 2025

Appeal Ref: APP/N1920/W/24/3343981

195 Shenley Road, Borehamwood, Hertfordshire WD6 1AW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Hasan Ilikoz against the decision of Hertsmere Borough Council.
 - The application Ref is 24/0056/FUL.
 - The development is the removal of the timber panels and posts and replacement with aluminium powder coated panels and double glazed windows and sliding door to the summer lounge seating area (retrospective) and re-location of the main entrance and signage featuring sliding doors and infilling of the current door with a window.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the Council's description of development as this more accurately and concisely describes the development. I note that the appellant has used this in their appeal form.
3. The Council has no objection to the relocation of the main entrance door, and I have no reason to come to an alternative conclusion on this matter. My assessment is therefore focussed on the single-storey structure.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host building and surrounding area.

Reasons

5. The development principally comprises a single-storey structure which projects forward of the front building line into the paved area of Shenley Road. It is finished in aluminium powder coated panels with double glazed windows within.
6. The development is highly visible from the public vantage points of Shenley Road and Grosvenor Road. The structure, albeit single storey, extends beyond the building line of the host property and wider commercial parade. The appellant argues that this would retain the stepped design of the building and wider terrace. On the contrary, I find that its position is entirely at odds with the established pattern of development in this location, forming a highly prominent, cluttered and incongruous addition to both the host property and streetscene.
7. The previous structure, illustrated within the appeal submission, appeared to form a less prominent, temporary structure. However, there is no planning history

before me to demonstrate that this was authorised. Accordingly, that previous structure cannot reasonably form a fallback position. In any case, I am assessing the development based on the plans before me and my observations on site.

8. Overall, I conclude that the development harms the character and appearance of the host building and surrounding area, contrary to the relevant provisions of Policy CS22 of the Hertsmere Core Strategy (CS, 2013) and Policy SADM30 of the Site Allocations and Development Management Policies Plan (DMP, 2016). These policies, when taken as a whole, seek to ensure high quality design in development which respects its context.
9. While DMP Policies SADM42 and SADM43 and CS Policies CS27 and CS28 have been referenced within the decision notice, these refer to the principle of town centre uses and frontages, which is not a matter before me.

Other Matters

10. That there has been no enforcement action to date, that there are no objections from third parties and that the site is not subject to any heritage designations are neutral matters in my determination of the appeal.
11. I have sympathy for the appellant who has experienced vandalism and trespassing. Nevertheless, I have found the proposals before me unacceptable. There is no indication that similar security benefits could not be achieved via an alternative and less harmful scheme.
12. I note the appellant's offer of working with the Council to amend the colour of the structure. Nevertheless, an appeal cannot be used to evolve a scheme and I have assessed the development based on the plans before me.

Conclusion

13. For the reasons above and having had regard to the development plan as a whole, and all other relevant material considerations, I conclude that the appeal should be dismissed.

A Price

INSPECTOR