



Appeal Decision

Site visit made on 7 October 2025

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 JANUARY 2026

Appeal Ref: APP/W1905/W/25/3369665

5 Woodlands Drive, Hoddesdon, Hertfordshire EN11 8AZ

- 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 Steph Nickolds of Nickolds Brothers Ltd against the decision of Broxbourne Borough Council.
 - The application Ref is 07/24/0753/F.
 - The development proposed is demolition of dwelling and erection of 8 x flats with parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The third reason for refusal relates to a drawing showing the elevations of Building 2 not having been submitted with the original planning application. However, I note that the Council proceeded to validate and decide the application without this drawing. Furthermore, the Council was able to make a comprehensive assessment of the effect of the proposal on the living conditions of the occupiers of adjacent buildings. The assessment made specific reference to the effect on the occupiers of 6 Woodlands Drive (No 6), which would be directly adjacent to Building 2. It therefore seems to me that there was sufficient information before the Council to make a proper and robust determination.
3. A drawing showing the elevations of Building 2 (drawing no. 1689_308) was provided with the appellant's appeal submission. As such, the Council and other interested parties who commented on the original application, including the occupiers of No 6, had the opportunity to comment on this drawing. The drawing does not fundamentally alter the scheme, and for these reasons I am satisfied that no party would be prejudiced by my consideration of this drawing and I have therefore considered it accordingly.

Main Issues

4. Therefore, the main issues are:
 - The effect of the proposal on the character and appearance of the area bearing in mind in it would be within the Hoddesdon Conservation Area (CA) and within the setting of the grade II listed 'Spinning Wheel';
 - Whether the proposal would provide adequate living conditions for future residents of the proposed blocks of flats, with particular regard to odours from communal waste bins; and

- The effect of the proposal on highway safety, with particular regard to the provision of car parking.

Reasons

Character and appearance

5. The CA has a mix of building types and ages in its northern portion, and mainly detached residential buildings set back in large plots with fine mature trees in the other parts of the CA. Insofar as is relevant to this case, in my view the significance of the CA is founded on the open and verdant character.
6. The properties on Woodlands Drive are detached dwellings in large plots and are set back from the street. The properties have all have driveways of varying sizes, and some properties also have soft landscaping to the front. The properties in Woodlands Drive therefore accord with the prevailing character and appearance of the CA and contribute strongly to its significance.
7. The Grade II listed 'Spinning Wheel' is a mid C19 Swiss Cottage-style building set back from the street within a generous plot with attractive landscaping and trees to the front. The building has a variety of high quality traditional architectural features such as chamfered posts and round-headed, bay and oriel windows. Insofar as is relevant to this appeal, the significance of 'Spinning Wheel' is founded on its age, traditional architectural detailing and its open setting. 'Spinning Wheel' is on the other side of High Street opposite the entrance to Woodlands Drive. As such, 'Spinning Wheel' is visible from the appeal site and vice versa, so the proposal would be within the setting of the listed building.
8. The appeal site faces the access from High Street to Woodlands Drive. The proposal would see the existing dwelling replaced with two blocks of flats, and both blocks would be visible from High Street. The Council has raised no concerns with the design and appearance of the buildings themselves and based on the evidence before me I have no reason to disagree. Furthermore, the off-street parking spaces would not appear out-of-place in the street scene given the expanse of hardstanding to the front of the four dwellings immediately to the south of the appeal site.
9. However, the proposed two bins stores and two cycle parking stores would be positioned to the front of the buildings. An image of the cycle store has been provided. However, no dimensions have been provided for the cycle or bin stores. Despite the proposed landscaping at the front of the buildings, the cycle and bin stores would be highly prominent given their position and would result in a cluttered appearance to the front of the site. This would be exacerbated by the presence of any electric car charging points at the off-street parking spaces.
10. Although planning permissions have previously been granted to build two detached dwellings¹ on the site, they would not have bin or cycle stores located to the front of the site in the same way as is proposed in the appeal before me.
11. The proposal would therefore harm the character and appearance of the area. It would fail to preserve the character or appearance of the CA harming its significance. It would also harm the setting and significance of 'Spinning Wheel'.

¹ Planning application refs. 7/0700/07/F/HOD; 07/21/0449/LDP, 07/22/0061/F

12. The harm to the listed building and the CA combined would be less than substantial and towards the lower end of any range. However, it is still of considerable importance and weight. In these circumstances, the National Planning Policy Framework (the Framework) states that the harm should be weighed against the public benefits of the scheme. I shall return to this later.

Living conditions

13. The proposed bin stores would be situated in close proximity to the entrance doors and bedroom windows to Flat 1 in both buildings. Furthermore, the footpath to access and exit the site would pass between both stores, and those walking to and from the car parking spaces would also have to pass close to the bin stores. The Council has not expanded on why the proximity of the bins to the flats would be harmful to the living conditions of future occupiers of the flats. However, at such close proximity odours from the bins would provide an unpleasant experience to occupiers of both Flats 1 and to people walking past the bin stores.
14. As such, the proposal would fail to provide adequate living conditions for future occupiers of the blocks of flats through exposure to odours from the communal bins. The proposal would therefore conflict with Policy EQ1 of the Broxbourne Local Plan (2020) (BLP), insofar as it requires development to make adequate provision for the storing of refuse.

Highway safety

15. The proposal would create eight flats with six parking spaces. It is not disputed that local parking guidelines show that fourteen car parking spaces should be provided. Nevertheless, the appeal site is a short distance from the town centre and bus stops which are served by a regular bus service. However, even if this justifies a more pragmatic parking requirement of one space per flat, then the proposed parking provision would still fall short by two spaces.
16. Woodlands Drive to the north of the appeal site is only single-car width and as such would be too narrow for on-street parking. To the south of the site the street is slightly wider, however I have no evidence before me to demonstrate that the road is wide enough for cars to park on the street without obstructing vehicles entering or existing the driveways of the existing properties or travelling along the road. I am therefore not persuaded that sufficient off-street parking provision exists in Woodlands Drive to make up for the on-site parking shortfall.
17. Although planning permission may have been granted for twenty-seven flats at the former Hoddesdon Police Station with only twenty-two on-site car parking spaces, the appellant states that an additional eleven spaces were located around the site. This would have provided more than one space per flat, whereas the appeal scheme would provide less than one space per flat. As such the scheme at the former Hoddesdon Police Station is not directly comparable to the appeal scheme and does not justify the proposed parking shortfall.
18. Slim-line electric car charging points may not require any significant removal of the proposed landscaping at the front of the site. These charging points could be secured by a condition. I therefore have no reason to believe that the car charging points could not be provided. The proposal would therefore accord with BLP Policy TM4, which requires all car parking spaces in new housing developments to have electric vehicle charging points.

19. However, it has not been demonstrated that the proposal would provide sufficient parking provision for the future occupiers of the flats and their visitors. The increased demand would risk people parking inappropriately on street, which would increase the risk of pedestrian and vehicle collisions to the detriment of highway safety. The proposal would therefore conflict with BLP Policy TM5, insofar as it requires sufficient car parking to be provided.

Planning and heritage balance

20. The proposal would provide seven additional units which would make a modest contribution to the existing housing supply. Economic advantages would also arise from the construction and occupation of the flats. Furthermore, the appellant's Biodiversity Net Gain assessment identifies a biodiversity net gain of 18.85%. These are significant public benefits which weigh in favour of the scheme. However, they are insufficient to outweigh great weight I afford to the harm to the designated heritage assets. The harm I have identified to highway safety and living conditions only carries further weight against the scheme.
21. The proposal would therefore conflict with BLP Policy DSC1 which requires development to enhance local character and distinctiveness, including taking features of historic significance into account, and BLP Policy HE2 which requires development to conserve or enhance the historic environment.

Conclusion

22. I conclude that the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

D Ellis

INSPECTOR