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# Appeal Decision

Site visit made on 7 July 2016

**by Sue Glover BA (Hons) MCD MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 14 July 2016**

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**Appeal Ref: APP/X1925/D/16/3147337**

**Hilltop House, Benslow Lane, Hitchin, Hertfordshire, SG4 9RA**

- 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 James Horobin against the decision of North Hertfordshire District Council.
  - The application Ref 15/02911/1HH was refused by notice dated 7 January 2016.
  - The development proposed is the erection of a new double garage.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the street scene.

## Reasons

3. This part of Benslow Lane is a short unmade cul de sac culminating in a narrow public footpath next to Hilltop House. There are large houses set back behind railings, hedges and fences, in a spacious and verdant setting.
  4. On the north-west approach along the lane the entrance to Hilltop House is clearly visible at the end of the cul de sac. There is a front fence about 2m high on one side of the entrance, part of which has a low hedge in front of it. The proposed garage would be in a prominent forward position next to the lane and the public footpath.
  5. There would be a significant separation between the outbuilding and Hilltop House as well as with no. 81 and other dwellings at the side. The proposed garage would therefore appear as an isolated building in the street scene and not well-related or integrated with the dwellings around.
  6. Notwithstanding the high quality finish of the materials and the new hedge once more established, the proposed garage would be seen as a large and bulky building from the lane with a significant proportion visible above the fence line. The proposed building would appear less prominent from the narrow footpath immediately adjoining the high fence, but it would appear incongruous and out of place from the approach along the lane. The proposal would significantly detract from the spacious quality of the street scene where the dwelling houses are well set back behind front gardens.
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7. In these respects, there would be material harm to the character and appearance of the street scene. Saved Policy 57 of the District Local Plan No. 2 with Alterations, originally adopted April 1996, indicates amongst other things that proposals must relate to the character of the surroundings.
8. The development plan policy is broadly compatible with paragraphs 17 and 60 of the National Planning Policy Framework that seek to secure a high quality of design, and to reinforce local distinctiveness. The proposal does not meet the objectives of the Framework in these respects.
9. The appellant refers to other garages that have been built or where permission has been granted. However, each application and appeal should be considered on its own merits. I have judged the appeal proposal in the context of its setting in this part of Benslow Lane.
10. I have also taken into account the potential benefits of increased privacy to nearby residents and the support for the proposal from some local residents. I have considered all other matters, including all the policies in the Framework and other national planning policy and guidance. Notwithstanding the other matters, the harm that I have identified to character and appearance is significant and overriding. The appeal therefore does not succeed.

*Sue Glover*

INSPECTOR

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