
Appeal Decision

Site visit made on 8 November 2016

by Christa Masters MA (hons) MRTPI

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

Decision date: 14th November 2016

Appeal Ref: APP/J1915/D/16/3159558
6 Rib Vale, Benego, Hertford SG14 3LF

- 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 Greenwood and Miss Guest against the decision of East Hertfordshire District Council.
 - The application Ref 3/16/1632/HH, dated 18 July 2016, was refused by notice dated 7 September 2016.
 - The development proposed is two storey side and rear extensions.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the living conditions of the existing and future occupiers of No 4 Rib Vale.

Reasons

3. The appeal property is a detached two storey dwelling set along Rib Vale. The appeal proposal would provide a two storey side extension and rear extension. I was able to view the appeal site from No 4 Rib Vale as part of my site visit. There is a room on the first floor currently used as a home study which has a single aspect window on the flank elevation of the property which directly overlooks the appeal site. This window provides the only light source to the room and the existing outlook is of the flat roof of the car port and the street beyond.
 4. As a result of the scale and positioning of the side extension proposed, I share the concerns expressed by the Council that the proposal would result in material harm in terms of both loss of outlook and the amount of light the room receives. Whilst I note the appellant states any loss of light would be mitigated by moving the existing garage back from the boundary by 1m, I have no technical evidence to support this view. The weight I can attach to this statement is therefore limited.
 5. I also note that the appellant states that there are existing extensions in place along Rib Vale and also first floor flank windows facing two storey side extensions along Watermill Lane. I have not been provided with the full planning history details on these other sites, or any information concerning when the extensions or windows were installed. Nor do I have any information
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regarding the rooms these first floor windows serve. In any event, each proposal must be considered on its own merits, as is the case here.

6. As a result, I therefore conclude the proposal would result in material harm to the living conditions of the existing and future occupiers on No 4 Rib Vale. It would be in conflict with policy ENV5 of the East Herts Local Plan Second Review (LP) 2007. This policy advises, amongst other things, that extensions to dwellings will be permitted provided that the amenities of the dwelling and any adjoining dwelling would not be significantly affected. The proposal would also conflict with the Framework, and in particular paragraph 17 which advises, amongst other things, that proposals should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
7. My attention has also been drawn to policy ENV6. This policy sets out criteria in relation to extensions. However, as highlighted by the appellant, the policy wording at (c) relates to two storey extensions to semi-detached and terraced properties. As the appeal property is a detached dwelling, I am not persuaded that the policy is directly applicable to the appeal proposal.

Other Matters

8. Concerns have also been raised that the proposal would result in a terracing effect along the street. However, taking into account the separation distances involved, I do not consider the proposal would result in any material harm in this regard.

Conclusion

9. For the reasons set out above, I conclude the appeal should be dismissed.

Christa Masters

INSPECTOR