

Appeal Decision

Site visit made on 7 March 2017

by Graham M Garnham BA BPhil MRTPI

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

Decision date: 14th March 2017

Appeal Ref: APP/J1915/D/16/3166118

147 Bengoe Street, Bengoe, Hertford, SG14 3EY

- 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 P McKay against the decision of East Hertfordshire District Council.
 - The application Ref 3/16/2356/HH, dated 19 October 2016, was refused by notice dated 8 December 2016.
 - The development proposed is single and double storey rear extension incorporating a roof conversion.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have based my decision on the plans as listed on the Council's decision notice.

Main Issue

3. I consider that this is the effect of the proposal on the character and appearance of the building and the locality.

Reasons

4. The appeal property is a modest, 2 storey semi-detached house with a single storey outrigger to the rear that accommodates the kitchen and bathroom. It is proposed to widen the outrigger at ground floor level to the full width of the house; erect 2 floors of rear extension above part of it adjoining the host house; carry out a roof conversion, and other external works at the front.
 5. The Council does not object to the single storey rear extension; installing new side windows and a small front velux; and creating a parking space with landscaping works in the front garden. I consider that all these works would be compatible with the character and appearance of the building and the locality, and have no reason to take a different view. Moreover, I see no objection to the principle of converting the roof space to living space. I shall focus the rest of my attention on the area of dispute, which is the double storey rear extension above the outrigger and the main roof slope.
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6. The proposed first floor plan shows the rear extension going out about 3.5 metres from the existing main rear wall of the house. The first floor would accommodate a bedroom (the existing rear bedroom making way for a bathroom and staircase). An extension of this height would be clearly subordinate in height and scale to the main house, and similar to existing rear extensions on either side. However, it is proposed to add another floor above, which, together with the roof conversion, would create an en suite third bedroom at 2nd floor level. The resultant full-width extension of 3 storey height would have an eaves line significantly higher than that of the main roof. The ridge height of the extension would match that of the main roof, but it would be considerably longer. The extension would thus fail to appear subordinate in height and scale to the host house.
7. The extension would have a gable end to match that of the host house. The eaves line on the boundary would meet the roof slope of the attached house about half way up towards the ridge, and protrude outwards from it for a significant distance. I consider that this would add to the “top-heavy” appearance of the back of the house, and be at odds with the prevailing two-storey heights of existing rear extensions locally. These incongruities would be seen in oblique views from side roads to the north and south of the site. However, I consider that, because of proximity to the neighbouring house to the north, the enlarged side wall would not be generally visible or harm the character and appearance of the dwelling.
8. The appeal site is in the Hertford Conservation Area, a very large area which covers much of the older part of Hertford, including the town centre. The Council has provided no character appraisal or account of the heritage significance of the conservation area, against which I can consider the proposal. I have to rely on the conservation area boundary plan and my observations during the site visit. The site is near the northern extremity of the conservation area. Along the appeal side of Bengoe Street, only frontage buildings are included, suggesting that it is the street scene that is of importance. This is very mixed, and includes recent as well as earlier 20th century buildings such as the appeal property. Little of the extension could be seen from the road. Its relationship to the host house and nearby properties at the rear could be seen clearly only from public viewpoints outside the conservation area.
9. The appellant has referred to a house on Bengoe Street just south of the appeal site. This appears to have a pitched roof rear extension that has an eaves line higher than that of the main roof at the front of the house, and a ridge line above that of the main roof. There is some similarity of form between this development and the appeal proposal. However I have no details about this dwelling, which from external appearances looks like a more recent building. Hence I find it gives little support to the appellant’s case. It serves as an example of the diversity of age, styles and qualities of the built development in this part of the conservation area.
10. The National Planning Policy Framework says that great weight should be given to the conservation of a heritage asset such as a conservation area. Where harm is “less than substantial”, it should be weighed against the public benefits of the proposal. In this case, I consider that the harm I have identified in terms of the top of the rear extension is tangible, albeit small, in

the context of the wider conservation area. Nonetheless I consider this harm to be significant in so far as the unsatisfactory design and appearance of an addition to an older building would be expected to detract from the heritage quality of the area to some degree. Against this are the benefits to the appellant's family and to established social networks of being able to remain embedded in the local community. I regard this as a small but nonetheless material contribution to the social role of sustainable development, supporting the health of the local community. There is thus an identifiable public benefit. However, I consider this would not outweigh the evident harm to the heritage quality of the conservation area that I have identified above. Therefore I find that the balancing judgement set out in paragraph 134 of the Framework does not support the proposal.

11. I conclude on balance that the proposal would detract materially from the character and appearance of the building and the locality, to a small but significant extent. It would be contrary to Policies ENV1, ENV5, ENV6 & BH5 in the East Herts Local Plan Second Review (2007). Among other things, these require new development to be of a high design quality that reflects local distinctiveness, relates well to the surrounding townscape, and is sympathetic to the general character and appearance of the conservation area; and that extensions should complement the existing dwelling. The proposal would also fall short in respect of the statutory duty to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.
12. Thus planning permission should be withheld and I dismiss the appeal.

G Garnham

INSPECTOR