
Appeal Decision

Site visit made on 22 May 2017

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 30th May 2017

Appeal Ref: APP/J1915/D/17/3172757

42 Cublands, Hertford, Hertfordshire SG13 7TS

- 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 and Mrs T & H Forrest against the decision of East Hertfordshire District Council.
 - The application Ref 3/17/0009/HH, dated 3 January 2017, was refused by notice dated 10 February 2017.
 - The development proposed is single storey rear and side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the extensions on the character and appearance of the surrounding area.

Reasons

3. The appeal property is an end dwelling in part of a modern estate which comprises groups of modestly-scaled terraced houses. A single-storey extension is proposed at the rear of the property which would wrap around part of the side elevation. This quite modest addition would have little harm to the intrinsic character of the house. However, the lateral extension would occupy part of narrow strip of open land which runs alongside the adjacent footpath onto which a row of similarly-scaled dwellings face.
4. The part of this open strip of land adjacent to the side of No 42, which would be occupied by this extension, is within the ownership of this dwelling and the planting within it is quite overgrown. Nevertheless it provides a degree of openness and visual relief alongside the footpath which separates the side elevation of No 42 from the perpendicularly-sited terraced houses to its south-west.
5. This landscaped strip of land is not part of the larger areas of open space which are publicly maintained, such as that which No 42 faces onto to its north-west, and the siting of the side extension within it would have little adverse effect on the street scene as viewed from the estate road. Despite this, the open strip of land is significant in respect of the open character of the immediate area of housing alongside the adjacent footpath and the side extension would detract harmfully from this.

6. By encroaching on the open area adjacent to the footpath there would be some harm to the character and appearance of this locality. This would conflict with the aims of Policy ENV1 of the East Herts Local Plan Second Review 2007 (LP). Although this area is somewhat overgrown by vegetation, the proposal would conflict with LP Policy ENV2 which expects landscape features of developments to be retained. Although in the appellant's ownership the land at the side of No 42, occupied by the extension proposed, forms a part of the communal amenity land around housing developments, not adopted by the local authority, that LP ENV7 seeks to be retained.
7. Although the impact would be localised this proposal would detract from the level of openness this landscaped strip provides. This would result in material harm to the character and appearance of this part of the housing development contrary to the aims of the aforementioned policies.

Conclusion

8. For the above reasons I conclude that the appeal should be dismissed.

Jonathan Price

INSPECTOR