
Appeal Decision

Site visit made on 7 June 2017

by J Gilbert MA (Hons) MTP MRTPI

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

Decision date: 27th June 2017

Appeal Ref: APP/J1915/D/17/3170852

51 Kingsway, Ware SG12 0QG

- 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 Steven Taylor against the decision of East Hertfordshire District Council.
 - The application Ref 3/16/2435/HH, dated 31 October 2016, was refused by notice dated 21 December 2016.
 - The development proposed is double storey side extension and single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Council raises no concerns regarding the proposed single storey rear extension. Accordingly, the main issue is the effect of the proposed double storey side extension on the character and appearance of the area.

Reasons

3. The appeal site is set above street level close to the junction of Kingsway and Heath Drive. No 51 Kingsway is a gable-fronted semi-detached property with its attached hipped roofed neighbouring property set further back from the street. Despite the presence of a number of flat roofed garages, single storey and two storey side extensions, reasonable gaps remain between the semi-detached houses along the street. These gaps contribute to the area's character, providing a sense of spaciousness between properties.
 4. Policy ENV6 (b) of the current East Herts Local Plan Second Review (2007)(the Local Plan) states that side extensions at first floor level or above should ensure appropriate space is left between the flank wall of the extension and the common curtilage with a neighbouring property (as a general rule a space of 1 metre will be the minimum acceptable), to safeguard the character and appearance of the street scene, existing trees and hedgerows, and prevent a visually damaging "terracing" effect.
 5. The proposed two storey extension would abut the boundary between the appeal site and No 49, which has a two storey side and rear extension set in from the boundary. The gap between the two storey extension at No 49 and the existing single storey garage at No 51 is approximately 1 metre. Although the current narrow gap between the houses at ground floor level would remain
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unchanged, the extension of the first floor right up to the boundary would substantially erode the gap at first floor level. This proximity of first floor extensions would result in a terracing effect taking place, as the gap between properties would reduce to the extent as to create the impression of terraced properties at Nos 47 - 53.

6. I note that the proposed two storey extension would be set back slightly from the front gable wall of the appeal site and I have also taken account of the staggered layout of the houses. However, I do not consider these sufficient to prevent the terracing effect I have highlighted. This would be particularly noticeable on approaching the appeal site from beyond the mini roundabout at the junction of Kingsway and Heath Drive, where there would no longer be a noticeable gap between the appeal site and No 49. Given the appeal site's prominent position within the street scene, the proposed extension would adversely affect the character and appearance of the area.
7. The appellant has referred to terraced housing being a feature of the area. While there are terraced houses in the area, the character of this part of the street is of two-storey semi-detached properties of mixed architectural styles. Additionally, flat-roofed garages are a common feature and do not diminish the gaps between properties at first floor level. Furthermore, the proposed materials, detailing and pitched roof of the extension would not mitigate the effect of the extension's proximity to No 49.
8. The appellant has drawn my attention to other developments in East Hertfordshire. I have no information about the planning histories of these properties but their surroundings differ from that of the scheme before me as they appear to have been designed as a group with smaller gaps between properties. I will consider the appeal scheme on its own merits. The existence of other two-storey extensions in the locality and any breaching of the 1 metre distance on other sites do not justify the harm I have identified nor does the lack of objection from neighbours.
9. I conclude that the proposed development would unacceptably harm the character and appearance of the area. This would be contrary to policies ENV1, ENV5 and ENV6 of the Local Plan. Policy ENV1 is a general policy which aims to secure a high standard of design in all new development, while Policy ENV5 sets out the general principles for extensions to houses. I have already described the relevant part of Policy ENV6. The Council also refers to the pre-submission version of the East Herts District Plan, but the plan has not yet been examined and I consequently give it limited weight. The proposal would also be contrary to a core planning principle of the National Planning Policy Framework, which seeks to secure high quality design.

Conclusion

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Gilbert

INSPECTOR