The Planning Inspectorate

Appeal Decision

Site visit made on 27 March 2019

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2019

Appeal Ref: APP/J1915/D/19/3222342
38 Hayley Bell Gardens, Bishops Stortford CM23 3HB

- 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 Paul Beaufond against the decision of East Hertfordshire District Council.
- The application Ref 3/18/2519/HH dated 23 October 2018, was refused by notice dated 10 January 2019.
- The development proposed is demolition of garage. Erection of single storey front extension, two storey side extension and part single storey/ part two storey rear extension [Amendment to application 3/18/1980/HH].

Decision

1. The appeal is allowed and planning permission is granted for demolition of garage. Erection of single storey front extension, two storey side extension and part single storey/ part two storey rear extension [Amendment to application 3/18/1980/HH] at 38 Hayley Bell Gardens, Bishops Stortford CM23 3HB in accordance with the terms of the application, Ref 3/18/2519/HH, dated 23 October 2018, subject to the following conditions:

   1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: AZ/HBG/PR/011 Rev A Proposed Plans and Elevations, AZ/HBG/PR/012 Rev A Proposed Plans and Elevations, AZ/HBG/PR/010 Rev A Proposed Site Plan and AZ/HBG/PR/013 Rev B Proposed Plans and Elevations.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the street scene and surrounding area.

Reasons

3. The appeal site is a semi-detached house constructed in brick with a plain tile roof. The site is located in Hayley Bell Gardens, a residential road comprising of

houses of a similar type, creating a uniform character. The road has a tight grain of development with small gaps between semi-detached dwellings; several dwellings have large side extensions further reducing gaps between dwellings and resulting in the creation of several small terraces. This tight grain and mix of terraces and closely spaced semi-detached dwellings forms a distinct pattern and character for Hayley Bell Gardens.

4. The proposal is to demolish the existing garage to the side, which currently extends to the shared boundary with the neighbouring property, and to erect a two-storey side extension. A single-storey rear extension is proposed to span the width of the rear elevation, with a two-storey element spanning almost half the width with a small inset from the side. A single storey front extension is also proposed. Cumulatively, these extensions represent a significant increase in the size of the host dwelling, however, their design and scale is in keeping with its proportions and that of surrounding development.

5. Policy HOU11 of the East Herts District Plan 2018 (DP) sets out various criteria for good design and suggests a 1 metre minimum gap between any side extension and the common boundary to avoid visually harmful terracing effects. Given the established character of the area including significantly extended dwellings, a tight grain of development, and several examples of side extensions creating terraces, the size and siting of the proposal would be in keeping with this character and its creation of a terracing effect would not be visually harmful to this character.

Other Matters

6. A neighbouring resident has raised concerns regarding drainage arrangements for the proposal encroaching the common boundary. Whilst the side extension would extend to the common boundary, as does the existing garage, any planning permission would not imply any changes to ownership boundaries and it would be the Appellant's responsibility to ensure the planning permission is built within the appeal site as per the approved plans.

7. A neighbouring resident has raised concerns about the impact of the proposal on the living conditions at the rear of their property. Only a relatively shallow part of the rear extension would project forward of the plane of the rear elevation of the neighbouring property at first floor level, and this element would be inset from the boundary; it is therefore unlikely to overbear or overshadow the neighbouring house. The ground floor of the neighbouring property is extended and the proposed extension at the appeal site would not project forward of that at any point. As a result, the proposal would not have an unacceptable adverse impact on the living conditions of the neighbouring property.

Conditions

8. I have imposed the usual time limit and approved plans conditions to ensure the development is carried out in a timely manner in accordance with the approved plans. Whilst the appeal site is in a residential area, I have not considered it justified to impose a working hours condition given the scale and type of development.

Conclusion

9. The appeal proposal would not adversely detract from the established character of the area and scale, siting and decision would respect the proportions and design of the host dwelling. The proposal would therefore be in accordance with policies HOU11 and DES4 of the East Herts District Plan 2018, which amongst other things, seek a high standard of design.

Kim Langford Tejrar

INSPECTOR