



Appeal Decision

Site visit made on 19 August 2019

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 September 2019

Appeal Ref: APP/J1915/D/19/3231388

8 and 10 Founceley Avenue, Dane End, SG12 0NE

- 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 Duncan Berry against the decision of East Herts Council.
 - The application Ref 3/18/2594/FUL, dated 14 October 2018, was refused by notice dated 28 March 2019.
 - The development proposed is a first floor extension over existing structure.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor extension over existing structure at 8 and 10 Founceley Avenue, Dane End, SG12 0NE, in accordance with the terms of the application, Ref 3/18/2594/FUL, dated 14 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: site location plan, proposed floor plans (labelled Plan 2 and Plan 3), proposed front elevation (plan 5), proposed rear elevation (plan 6) and proposed side elevations (plans 8 and 10).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those stated on the application form unless otherwise agreed in writing by the local planning authority.

Preliminary Matter

2. The address of the site on the application and appeal forms is 8 Founceley Avenue. It is evident from the plans and from my site visit that the proposed development relates to both 8 and 10 Founceley Avenue. I have therefore amended the address to accurately reflect this.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal properties are both end terraced houses that are linked by an existing ground floor structure. They are set back from the pavement behind small front gardens and steps, which lead up to the front doors.

5. Founceley Avenue comprises a mixture of dwelling types and materials, which follow a well-defined building line. The street is located on a hillside that slopes upwards to the north and east. Semi-detached bungalows are situated opposite the front of the site and to the rear there is a large parking area comprising garages and rear access to surrounding properties. To the west of the site there are several two storey blocks of flats. There are no other blocks of four terraced houses within the Founceley Avenue street scene other than those within which the appeal properties sit.
6. The proposed first floor extension would be set well back from the front elevations and well down from the main ridgelines of the host dwellings, remaining subservient to these. As such the development would not appear visually prominent in views along the street scene. The proposed painted render finish would also break up the massing of the buildings.
7. Whilst the extension would project beyond the original rear elevations of the houses at the first floor level, this projection would not be significant and would only be visible from the private parking area and from dwellings to the rear of the site, which are in excess of 40 metres away. Given the separation distance and downhill position, the development would not appear dominant in any views from the north.
8. Although the development would result in modest changes to the appearance of the buildings this change would not in my view be harmful to the wider street scene or detrimental to the character and appearance of the area.
9. I therefore find no conflict with the general aims of policies HOU11 or DES4 of the East Herts District Plan (October 2018), which seek to ensure high quality design and layout that reflects the character of the site and its surrounding area. I acknowledge that policy HOU11(b) advises, as a general rule, that a minimum space of 1 metre is retained between first floor side extensions and the curtilage boundary in order to safeguard the street scene and to prevent a visually damaging terracing effect. However, in this case the boundary between the properties is staggered and anything other than a joint development between 8 and 10 would be unlikely to result in a satisfactory standard of design. Moreover, these properties are already terraced and I have found that the development would not result in any harm to the character and appearance of the street scene.

Conditions and Conclusion

10. For the reasons given above and having regard to all matters raised I conclude that the appeal should be allowed. I have imposed the statutory time limit condition and a condition listing the approved plans in the interests of certainty. As the council raised no objection to the proposed materials I have imposed a condition to ensure that the stated external materials are utilised in the interests of good design and protecting the character and appearance of the area.

Rachael Bartlett

INSPECTOR