
Appeal Decision

Site visit made on 12 August 2019 by Mariam Noorgat BSc (Hons)

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2019

Appeal Ref: APP/J1915/D/19/3225586

90 High Oak Road, Ware SG12 7NZ

- The appeal is made under section 78 of the Town Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Jamie Dunlop against the decision of East Herts Council.
 - The application Ref 3/18/2533/HH, dated 9 November 2018, was refused by notice dated 30 January 2019.
 - The development was originally described as construction of two storey side extension.
-

Decision

1. The appeal is allowed and planning permission is granted for two storey side extension, single storey front extension and alterations to rear fenestration at 90 High Oak Road, Ware SG12 7NZ, in accordance with the terms of the application Ref: 3/18/2533/HH, dated 9 November 2018, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: KJM10108 001 Rev I, KJM10108 002 Rev I and KJM10108 003 Rev I.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The description of the development I have used in the decision above reflects that used in the Council's Decision Notice and the appeal form as that is a more accurate description compared to that originally used on the application form.

Main Issue

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

Reasons

5. The appeal site is an end of terrace property which sits on the corner of High Oak Road and Homefield Road. The dwellings in the surrounding area vary in type, design and scale. The dwelling at the appeal site is currently set in from the southern boundary which provides a spacious view from behind and in front of the appeal site. Further, it follows the building line of the properties to the east on Homefield Road.
6. The proposed two storey element of the proposal would be set back from the front elevation of the original dwelling; like 94 High Oak Road is set back from No.96. The proposal will therefore complement the existing pattern of the terrace and the wider street scene. It would also be set down from the original roof level so it would be apparent that this development is an addition to the host dwelling. The proposal would not extend all the way to the south boundary which would maintain an element of the original wrap around garden. Although the proposal would add a significant amount of built form in proportion to the original dwelling, it would still be subservient by virtue of the design elements described above.
7. The two-storey extension will protrude further out towards the road than the terrace of three houses on Homefield Road to the east. However, the building line provided by this short row of houses is not a strong feature in the context of the street scene. Furthermore as the proposed extension would be set in from the boundary, it would maintain an element of the open character and so would not impact harmfully on this building line if viewed from Homefield Road to the east or High Oak Road to the west. As such, this element of the proposal would not conflict with the established pattern of development within the street scenes.
8. The Council do not raise any concerns with regards to the proposed front porch and rear fenestration arrangements and I have no reason to disagree.
9. Based on the reasoning above, the proposed development would not have an adverse effect on the character and appearance of the area. It would therefore not conflict with Policies DES4 and HOU11 of the East Herts District Plan, 2018, (District Plan) which generally seek to ensure developments are well designed and respect the local character.

Other Matters

10. The Council refers to a previously dismissed appeal at the same site (Ref. APP/J1915/D/18/3214558). I have not been provided with a copy of this. However, from the details given in the Council's officers report, I note that proposal differed in that there was no set back from the front elevation, no set down from the ridge and it would have been closer to the southern boundary. It is therefore not directly comparable to the scheme before me.

Conditions

11. In the interests of certainty, a condition is necessary to ensure the development is carried in accordance with the approved plans and within three years of the date of this decision. Furthermore, in the interests of the character and appearance of the area, a condition is necessary to ensure matching materials are used.

Recommendation and Conclusion

12. For the reasons set out above, and having had regard to all other matters raised, I recommend the appeal is allowed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR