
Appeal Decision

Site visit made on 27 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: 8 October 2019

Appeal Ref: APP/J1915/D/19/3225670

1 Court Lodge, The Bourne, Ware SG12 0PU

- 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 Ms A Parkin against the decision of East Herts Council.
 - The application Ref 3/18/2517/HH, is dated 15 November 2018 and was refused by notice dated 8 March 2019.
 - The proposed development is the demolition of the existing single storey projection to be replaced by a new single storey rear addition.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing single storey rear projection to be replaced by a new single storey rear addition at 1 Court Lodge, The Bourne, Ware SG12 0PU, in accordance with the terms of the application Ref: 3/18/2517/HH, dated 15 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: 747-2-PLN-20, 747-2-PLN-21, 747-2-COM-20 and 747-2-ELE-20.

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.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the Ware Conservation Area (Conservation Area).

Reasons

4. The appeal property is an end of terrace, two storey building which has a pitched roof. The terrace contains three properties which due to their setting

within spacious plots, consistency of design and distinctive fenestration lead to it making a positive contribution to the surrounding Conservation Area. However, whilst the front elevation of the terrace is uniform, the rear elevation varies due to different masses and designs of extensions present. In particular, No.2 contains a two-storey rear extension with a hipped roof. All the properties within this terrace benefit from generous gardens, with the appeal site and 64 Baldock Street, at the other end of the terrace, having their gardens primarily to the side.

5. The proposal is a single storey rear extension with a pitched roof part and a flat roofed part accommodating a lantern rooflight. The pitched roof part would be higher than the in-situ extension, however, the proposal would still be significantly lower than the host dwelling and generally appear subservient in height. The pitched roof design would also be sympathetic and complement the host dwelling. The proposed footprint would be greater than the current extension, however, it is proportionate with the existing dwelling and the surrounding spacious garden. As such, the proposal would be a generally subservient addition to the property.
6. The buildings in the surrounding Conservation Area vary in design and scale and there is no common theme. The neighbouring property at No.2 features a two-storey rear extension, the adjacent property at 12 The Bourne is a bungalow, and I also saw a new development close by at Ermine Court. The wider Conservation Area has terraces and buildings with different sizes and styles. The proposal will not be able to be seen clearly from the street scene due to the high boundary walls and the extension's set back from this boundary. The proposal will use matching materials to the host dwelling, as stated within the application form, would maintain significant garden space, which is a prominent feature of the terrace, and be of a design and scale that complements the host dwelling and terrace. As such, the proposal would not be out of keeping with the immediate or surrounding area and would therefore preserve the character and appearance of the Conservation Area.
7. Based on the reasoning above, the proposed development would not have an adverse effect on the character and appearance of the host dwelling, and it would preserve the character and appearance of the Conservation Area. I therefore do not find 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, and Policy HA4 of the District Plan which seeks to ensure developments within Conservation Areas preserve or enhance the character and appearance of the area.

Other Matters

8. The Officer report makes comparison against a previously refused planning application (Ref: 3/18/1638/HH) and state that this proposal does not address the concerns originally raised. Nonetheless, I have determined this appeal on its own merits and find it acceptable.

Conditions

9. The Council has suggested three conditions. 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

Conservation Area, a condition is necessary to ensure matching materials are used.

Recommendation and Conclusion

10. 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

11. 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