
Appeal Decision

Site visit made on 2 October 2019

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th October 2019

Appeal Ref: APP/J1915/D/19/3234906

Dean House, Wyddial Road, Wyddial, Herts SG9 0EW

- 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 Chris Thwaite against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/0705/HH, dated 29 March 2019, was refused by notice dated 20 May 2019.
 - The development proposed is described as 'the erection of an extension to the existing games room to be used in conjunction with Dean House as a granny annexe. Alterations to elevations of the existing games room.'
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. These are a) The effect of the proposed development on the character and appearance of the area with particular regard to the significance and setting of a grade II listed building; and b) whether the provision of accommodation in the annexe would be excessive having regard to the requirements of the development plan.

Reasons

Character and Appearance

3. Dean House is a detached grade II listed thatched cottage set in a roughly rectangular plot. The cottage is in an L shape plan form with a later single storey extension to one of its narrow sides. It is a good quality surviving example of a timber framed thatched building finished in render and in a substantial landscaped garden plot. The outbuilding concerned is single storey and has a barn hip style roof reflective of the aforementioned extension to the cottage. It is a more modern addition to the appeal site and finished in a mock tudor design. It's of a subservient scale to the cottage and located beside it, separated by entrance gates from the single storey extension.
4. The proposed development would extend the building to its rear. It would not increase its height. Its ground floor where a kitchen would be provided would be set on a lower land level to allow a bedroom to be contained in the roof space above. The existing floor space would become the living room.

5. Whilst the proposed works to the outbuilding would not increase its height there would be an overall impression of greater height when it is viewed from the garden of the cottage due to the use of a lower ground floor level. The ground floor of the extension would be set noticeably lower and thus add a substantial amount of new mass to the building, increasing its scale. Its resulting size would lead to a degree of competition for dominance in the plot with both the extension to the cottage and the cottage itself, unbalancing the subservient relationship intended by the existing size of the outbuilding. Being a much later addition, I feel this competition in the plot and thus the setting of the cottage has the potential to undermine its quality and dominance.
6. Turning to the design of the extension, and in particular the use of the dropped ground floor level, it would appear an overly large and awkward bolt on to the building itself. Setting the fenestration much lower than the existing would not only emphasise the extension's height but also result in a confused and lop-sided elevation.
7. As a thatched cottage of some scale, land take and quality in terms of its traditional materials and finishes, Dean House rightly forms the focal point of the plot. The scale and design of the resulting outbuilding would, for the reasons I have set out, detract from such an effect, ultimately reducing its significance in both historical and architectural terms and impinging on its setting.
8. I would consider the harm that I have found, given the extent of its reach, to be less than substantial. Nonetheless, and as per paragraph 193 of the Framework¹, great weight should be given to the conservation of heritage asset, irrespective of the level of harm. Turning to paragraph 196 of the Framework then, I would balance such harm against the public benefits of the proposal although I have not been advised of any.
9. With this and the above in mind, the proposed development would be harmful to the significance of the grade II listed Dean House by adversely affecting its setting. Such that it would result in conflict with both the aims of section 16 of the Framework and Policies HA7, GBR2 and DES4 of the Local Plan². Between them and amongst other things, these policies seek to ensure that proposals that affect the setting of a listed building will only be permitted where the setting is preserved; size, scale, mass, form, siting and design of alterations to buildings are appropriate to the character, appearance and setting of the site and; development generally should be of a high standard of design and layout to reflect local distinctiveness.

Size of the Annexe

10. Policy HOU13 of the Local Plan sets out the parameters for acceptable residential annexes. It suggests, amongst other criteria, that the scale of the annex should not dominate the existing dwelling and is the minimum level of accommodation required to support the needs of the occupant. The development plan justifies this stance to identify an annexe as such and make them distinct from independent dwellings.
11. The extent of accommodation on offer in the proposed annexe is not what one would call small. The extension would house a kitchen with downstairs WC and

¹ The National Planning Policy Framework 2019

² East Herts District Plan 2018

the space above it, contained in a roof, would be a bedroom through which the main bathroom would be accessed. The largest space would be the living room and whilst it is unclear from the plans as to whether this space would still be used partly for the existing dwelling, more likely than not, given the other facilities accessed off it, it would form the living space for the annexe.

12. It seems to me that the provision of accommodation would allow independent occupation of the annexe and for the same reasons I cannot see where the clear functional relationship to the main dwelling would be. Whilst the Council do not appear to express substantive concerns over the functional relationship issue, I feel that this, along the amount of floorspace in the living room, separate kitchen, downstairs WC and first floor bedroom would be excessive for the purposes of a residential annex designed around a single person who, ultimately for an annexe, should occupy it partially alongside some remaining reliance on the host dwelling.
13. The appeal scheme would therefore fail the criteria for a residential annexe as set out by Policy HOU13. Harm arising in this case from conflict with the development plan.

Other Matters

14. The outward appearance of the extension in terms of its use of materials and general shape reflects the existing detailing of the building, windows and bulk aside. I do not therefore resist the scheme on these grounds. I am also mindful of the fact that, in terms of the public realm, the extension would be largely obscured by entrance gates, the existing building and a substantial mature willow tree in a neighbouring front garden. I am not persuaded therefore that the appeal scheme would necessarily have an overly harmful landscape impact or indeed one more than strictly local to the appeal site. However, these factors either alone or taken together would not be sufficient to make the proposed development acceptable.
15. The appellant sets out that the annexe would house an elderly relative. Whilst I would be minded to attach some weight to this as a need for the accommodation, it is unclear as to whether this is an immediate pressing need for which there is no other reasonably available option. It is also not sufficiently clear if the proposed works are the only way to achieve additional accommodation for the purposes of an annexe. I would therefore be inclined to conclude that such a need would be insufficient to allow the appeal when balanced against the harms that I have found.

Conclusion

16. For the reasons set out above, and whilst having regard to other matters that have been raised, the appeal is dismissed.

John Morrison

INSPECTOR