
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/19/3235227

73 Havers Lane, Bishops Stortford CM23 3PA

- 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 and Mrs Batchelor against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/0892/HH, dated 29 April 2019, was refused by notice dated 21 June 2019.
 - The development proposed is described as 'removal of conservatory and part of single storey converted garage. Double storey front extension and single storey side extension.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the appeal scheme on the character and appearance of the area.

Reasons

3. The appeal site comprises a detached two storey dwelling set back from and facing the road. It occupies a corner plot which is roughly triangular in shape and borders Havers Lane and Thorley Hill. The existing dwelling has been extended with a conservatory to the side and a flat roof single storey projection towards Havers Lane. The former is to be removed and the latter replaced as part of the appeal scheme which is for a two storey front extension and a single storey side extension.
4. The forward projecting element of the proposals would bring the main front gable in much closer proximity to the front boundary of the plot. Whilst it would not come further forward than the nearest dwelling to the east, the amount of projection when compared to the existing dwelling's footprint would make the resulting building overly prominent in the street scene. An impact that would be exacerbated by the use of the steep gable design. In addition, the new front extension would run from the ridge height of the existing body of the building, accordingly dominating it.
5. I note there are a number of forward projecting gable features on other detached dwellings locally but these tend to be narrower and lower than the ridge height of the building to which they attach and the entire building in the majority of cases is set much further back into its plot. Some dwellings also

have a sloped roof scape facing the street frontage rather than a gable which accordingly reduced their overall prominence. These factors, as well as the building's prominent street corner location, would emphasise the obviousness of the proposed extension. It would eliminate a forward projecting flat roof element which as it stands does not appropriately reflect the design, shape or proportions of the existing dwelling. However, this existing part of the building is not before me to determine, it is at least subservient and the replacement of an unsuitable existing element with one arguably even more so would not be sufficient justification for the appeal scheme.

6. I note that the single storey element of the proposed development would also be a flat roof design, but it would incorporate some modern glazing and a sedum roof covering, making it clearly modern and thus a distinct and subservient 'bolt on' to the side. These factors would offset its overall impact. As would the fact that the majority of its spread and form would appear only marginally above an existing rendered boundary wall. Overall therefore I do not find that the single storey element would be harmful. Even so, this would not reduce the harm that the two storey element would cause to the character and appearance of the area for the reasons I have explained. Harm which would render the scheme contrary to Policies DES4 and HOU11 of the Local Plan¹. Amongst other things and along with section 12 of the Framework², these policies seek to ensure that new development (extensions to dwellings specifically) is of a high quality and contextually appropriate design and appearance that reflects and promotes local distinctiveness and be of a scale, size, mass, form, siting and design that is appropriate to the character, appearance and setting of the existing dwelling.

Other Matters

7. I note the appellant's comments regarding the appeal building not being listed and the appeal site not sitting within a conservation area. Be this as it may, this does not mean that any assessment of the design impact of a given development should be less rigorous or indeed reduced weight be given to how it may affect the character and appearance of the area in which it would be located.
8. A number of examples of substantial additions to local dwellings, some front extensions, have been cited in the evidence. Whilst I note these seem to have the benefit of planning permission they are not before me to determine nor do they strike me as having sufficient similarities to the appeal scheme or its context to warrant me allowing the appeal. Which I have considered on its own merits.

Conclusion

9. It is for the reasons I have set out above that the appeal is dismissed.

John Morrison

INSPECTOR

¹ East Herts District Plan 2018

² The National Planning Policy Framework 2019