



Appeal Decision

Site visit made on 24 October 2019

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 05 November 2019

Appeal Ref: APP/J1915/D/19/3235179

26 Stoa Close, Hertford SG13 7GH

- 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 David Greaves against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/0697/HH, dated 1 April 2019, was refused by notice dated 24 May 2019.
 - The development proposed is first floor rear extension and loft conversion comprising of raising the ridge and the provision of dormer window at rear and rooflight at the front.
-

Decision

1. The appeal is allowed and planning permission is granted for first floor rear extension and loft conversion comprising raising the ridge, provision of rear dormer window, provision of front roof light and insertion of new second floor window to eastern side elevation at 26 Stoa Close, Hertford SG13 7GH in accordance with the terms of the application, Ref 3/19/0697/HH, dated 1 April 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: 100A, 201C and 202C.
 - 3) 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.
 - 4) No development of the proposed dormer extension shall commence until details of the materials to be used in the construction of the external surfaces of the dormer extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Procedural Matters

2. While the appeal form states the company name as Julia Bentley & David Greaves, I have used taken the name from the application form in the interests of certainty.
3. From the evidence before me, the proposal includes a second-floor window to the eastern elevation of the building. I have therefore used the description of development from the decision notice in the interests of certainty.

Main Issue

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

Reasons

5. The site lies in a residential area generally comprising a mix of two and three storey properties. The rear of No 26 Stroat Close (No 26) is visible from Vixen Drive which is a main route into the estate and therefore is in a prominent location. The properties that can be seen from Vixen Drive are generally in a traditional style and set back from the road with varied roof forms including dormer extensions such that the area has a varied yet attractive, spacious feel.
6. The proposed first floor rear extension, rooflights and raising of the ridge are not a matter of dispute between the main parties. From the evidence before me I see no reason to disagree. Therefore, I will focus my assessment on the proposed dormer extension to which the Council has objected.
7. The proposed dormer extension would be set down from the ridge and eaves of the proposed roof and would be significantly set in from the sides of the detached property. Furthermore, the proposed windows would be of similar proportions to the other windows on the rear elevation. Therefore, while I note the width of the proposed dormer extension and the prominent location, it would appear subordinate to the host property and would be in keeping with the varied and spacious character of the area.
8. While I note that other dormer extensions in the area have been constructed via permitted development rights and may be in less prominent locations than the appeal site, they nevertheless form a part of the varied roof forms and character of the area. In any event, each case must be determined on its individual merits. Therefore, these points have not altered my overall decision.
9. Consequently, the proposed development would not harm the character and appearance of the host dwelling and surrounding area. Therefore, it would not conflict with Policies HOU11 and DES4 of the East Herts District Plan October 2018 which among other things require roof dormers to be appropriate to the design and character of the dwelling and its surroundings and requires all developments to reflect and promote local distinctiveness.

Other Matters

10. I note concerns regarding the service provided by the Council. However, each case must be determined on its planning merits and this point has not altered my overall decision.

Conditions and Conclusion

11. In addition to the standard conditions regarding timing and specifying the approved proposed drawings, conditions relating to external materials are necessary to safeguard the character and appearance of the area. For the reasons given above the appeal should be allowed.

R Sabu INSPECTOR