



Appeal Decision

Site visit made on 3 December 2019

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd January 2020

Appeal Ref: APP/J1915/D/19/3236993

55 Thorley Park Road, Bishops Stortford CM23 3NG

- 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 Daniel Shrimpton against the decision of East Hertfordshire District Council.
 - The application Ref 3/18/1928/HH, dated 27 August 2018, was refused by notice dated 25 June 2019.
 - The development proposed is the erection of a two storey side extension, a single storey front extension and a loft conversion with a rear dormer window and two front rooflights.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the site and surrounding area.

Reasons

3. The host property is a 2-storey semi-detached dwelling located on Thorley Park Road, which is a predominately residential street. The property is set back from the road and has a wide and open driveway to the front. Thorley Park Road contains a mixture of detached and semi-detached properties of varying styles and design, although the immediate area consists mainly of semi-detached properties. The attached dwelling at No 53 has a front and side extension and there is currently a large and spacious gap between the host property and No 57. On my site visit I noted that a number of dwellings along the street had been altered and extended in some way.
4. Policy DES4 of the East Herts District Plan (EHDP) (2018) requires development proposals to demonstrate compatibility with the structure and layout of the surrounding area. As well as to complement the existing grain of development and relate well to the massing, and height, of adjacent buildings and the surrounding townscape.
5. The development proposes a L-shaped extension, which would extend to the side and rear of the host dwelling. At the rear there would also be a roof box dormer window added to the rear roof slope of the host dwelling. The proposed front extension would be single storey.

6. Although the front extension to No 55 would alter the existing frontage of the host property, it would be of a similar design to the adjacent property No 53. There are a number of other similar front extensions within the street scene. Due to its size, the extension to the front of the host property would not appear dominant or intrusive. As such, it would not have a detrimental effect on the character and appearance of the site and surrounding area.
7. The proposed side extension would increase the frontage of the existing development by more than half and would significantly reduce the gap between No 57. I noted on my site visit that due to the extensions on the surrounding properties, a number of the gaps between the nearby dwellings had already been reduced in size. However, the reduction of the gap between No 55 and No 57 and the scale of the proposal when combined with the existing extensions to No 53, would appear as a bulky and overly dominant addition to the street scene.
8. The appellant has suggested that the flank wall of the extension is far less evident than a number of the flank elevations on the surrounding dwellings. However, the cumulative size, scale and massing would lack subservience to the host dwelling. Furthermore, given the openness to the front of the property and its positioning on the road, when approaching the property, it would appear as a prominent feature within the street scene.
9. I note that there was a previous application on the site for a similar development for a House of Multiple Occupation (HMO), which was dismissed on appeal¹. The proposed development would be similar to the extensions proposed under the previous application. The main difference being the change to the roof on the rear elevation. The appellant has suggested that the scale of the extension has been considerably reduced through the lowering of the eaves height of the rear projecting element. The appellant has also suggested that there are a number of three storey dwellings in the street scene, created through the conversion of their lofts and that the ridge height would not be raised by the proposed development.
10. Despite the reduction in scale, the proposal remains largely similar to the proposal which was dismissed. I agree with the findings of the Inspector on the character and appearance of the area, and given that the proposal is so similar, I consider the previous Inspector's findings are still applicable to this scheme. Aside from the reduction in the eaves height to the rear, I have not been presented with evidence to suggest the surrounding context has materially altered enough to be considered any differently than it was in the previous appeal. Even when taking into account the reduced height to the rear, the proposal would appear as a bulky and a dominating structure, which would be at odds with the prevailing character of the area.
11. I acknowledge the examples highlighted by the appellant, many of which were considered in the previous appeal. In this case the appellant has also highlighted that Nos 49, 51, 63 and 67 have also been extended in a similar way to the proposal. Whilst I note these extensions, these extensions do not appear as large and as prominent as the proposal before me, therefore, whilst similar in nature, they are not directly comparable. In any case the proposal before me must be assessed on its own planning merits and context.

¹ APP/J1915/D/18/3208058

12. The appellant has stated that the proposal would enhance the level of accommodation available for the appellant and would use similar materials to the host dwelling and would fit in with the existing street scene. However, this does not outweigh the harm that I have identified above. Even with matching materials, this would not overcome the harm to the character and appearance of the area, as the proposal would still appear as a prominent and bulky development within the street scene.
13. Although I note that the Council does not provide any specific guidelines relating to the size of roof dormers, Policy HOU11 of the EHDP requires that dormers should generally be of limited extent and modest proportions, so as not to dominate the existing roof form. In the previous appeal the inspector noted that the dormer would dominate the roof form. The proposed dormer occupies a significant area of the rear roof slope of the host property and would be visible from adjacent rear gardens. Whilst dormer windows have been added to other properties in the area, they are not a common feature on the immediately adjacent roofs. I therefore consider that such an addition would be a dominant addition to the roof structure. Thus, it would appear as an incongruous feature in the context of the adjacent roofs.
14. The appellant has suggested that the dormer would be appropriate in design as it would align with the windows below and be finished in complementary materials. Whilst I acknowledge these would go some way in blending in the proposal, it would not completely outweigh the harm that I have already identified.
15. The appellant has advised that the proposed dormer could be constructed under Permitted Development Rights, and as such considers that this is fall-back position which should add weight in favour of the appeal proposal. However, I have not been presented with substantive evidence to suggest that this would be carried out by the appellant, as such it does not outweigh the harm that I have identified above.
16. For the reasons above, the proposed development would harm the character and appearance of the site and surrounding area. This would be contrary to policies DES4 and HOU11 of the EHDP. These policies, amongst other things, seek development to be high quality and appropriate to the character, appearance and setting of the area.

Conclusion

17. For the reasons set out above, I conclude that the appeal should be dismissed.

D Peppitt

INSPECTOR