
Appeal Decision

Site visit made on 6 January 2020

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th January 2020

Appeal Ref: APP/X1925/W/19/3238313

2 Storehouse Lane, Hitchin SG4 9AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Stephen Chown against North Hertfordshire District Council.
 - The application Ref 19/01604/FPH, is dated 1 July 2019.
 - The development proposed is the erection of a single storey rear extension and rear dormer.
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Procedural Matter

1. The proposal involves two distinct, and severable, elements. The first is the erection of a single-storey rear extension, and the second, a rear dormer.

Decision

2. The appeal is dismissed insofar as it relates to the rear dormer.
3. The appeal is allowed insofar as it relates to the erection of a single storey rear extension and planning permission is granted for this element of the proposal at 2 Storehouse Lane, Hitchin SG4 9AB in accordance with the terms of the application, Ref 19/01604/FPH, dated 1 July 2019, so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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: A001 PL2, A090 PL1, A091 PL1, A100 PL1, A101 PL1, A102 PL01, A103 PL1, A105 PL1, A106 PL1, A107 PL1, A108 PL1, A110 PL1, A111 PL1, A119 PL1, A120 PL1, A121 PL1, A122 PL1, A123 PL1, A124 PL1, A125 PL1, A126 PL1, A127 PL1, A128 PL1, A129 PL1, A130 PL1 and A131 PL1.

Main Issue

4. The main issue is whether the proposal preserves or enhances the character or appearance of the Hitchin Conservation Area (the CA).

Reasons

5. The appeal property is located within the CA, which comprises the town centre of Hitchin and parts of the surrounding residential area. The character of the

- CA derives from the architectural interest and grouping of the buildings within it. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a CA.
6. The appeal site is located within Character Area 3 *Queen Street and Hermitage Road*, as identified in the Hitchin Conservation Area Character Statement (HCACS). The HCACS states that this area 'includes a number of late 19th century 'positive' paired cottages in Storehouse Lane'.
 7. Along with 1 Storehouse Lane, the appeal property forms one half of a pair of such cottages. Unlike many other properties on the Lane, the external appearance of Nos 1 and 2 remains largely unaltered. There are several other properties along the Lane that have rear dormer extensions. Whilst I acknowledge that these dormers benefit from planning permission, as referred to me by the appellant, as a result of their box-like design and significant width, extending almost the full width of the roof, I do not consider that they make a positive contribution to the character or appearance of the CA, appearing as bulky, top-heavy additions. Furthermore, which the exception of 9 and 10 Storehouse Lane which have similar extensions, the existing dormers disrupt the symmetry between the paired cottages, diminishing the positive contribution they make to the character and appearance of the CA.
 8. The Council raise no objection to the proposed single-storey extension. Based on the evidence before me and the observations I made on site, I find no reason to conclude otherwise. I therefore intend to allow this part of the appeal.
 9. With regard to the proposed dormer extension, it would occupy the full width of the appeal property, raising the overall eaves height of the rear elevation and the rear half of the gable elevation. As a consequence, the dormer would dominate the roof of the property and appear as a top-heavy addition. Moreover, it would result in the property dominating No1 and fail to respect the symmetry between the two properties and the positive effect they have on the character and appearance of the area as paired cottages.
 10. Although the appeal site does not form part of any important views identified within the HCACS it nevertheless forms part of the overall CA and would be clearly visible from within it. Although it would not be readily visible from public views within the CA, it would be from private views from neighbouring properties within it and from the nearby Lyle Row. I note that Lyle Row is not within the CA; however, views of the CA are enjoyed from it.
 11. I acknowledge the design cues of the dormer have been taken from nearby dormers. However, I do not consider that these are features of the CA that should replicated. I note that Storehouse Lane was an addition to the Conservation Area sometime during/ after 2009. It is not clear from the evidence before me whether the existing nearby dormers were granted planning permission before or after they were included within the CA. Therefore, I cannot be certain that the policy considerations at the time they were granted planning permission were the same as for the current proposal, in particular the effect they have on the heritage asset.

12. Whilst the detailing of the fenestration and materials of the dormer would be influenced by features within the locality, I do not consider that this sufficiently mitigates its overall unacceptable size and form.
13. I find therefore that the proposed dormer would fail to preserve or enhance the character or appearance of the CA, contrary to saved Policies 28 and 57 of the North Hertfordshire District Local Plan 2007, which, amongst other things, state that extensions should be sympathetic to the existing house and relate to and enhance their setting. It would also be contrary to Policies D2 and HE1 of the emerging North Hertfordshire Local Plan, which state that extensions should be sympathetic to the existing dwelling and secure the conservation and preservation of the significance of heritage assets. Furthermore, it would fail to accord with the historic environment objectives of the National Planning Policy Framework (the Framework).

Planning Balance

14. Paragraph 196 of the National Planning Policy Framework (the Framework) confirms that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.
15. The proposed dormer would have less than substantial harm to the significance of the CA. The proposal would improve the energy consumption of the property by using modern construction methods and good insulation. Furthermore, I acknowledge the proposal would create a more efficient living environment for the appellant. However, I do not consider that these are public benefits that would outweigh the harm the dormer would have on the CA.

Conditions

16. I have had regard to the conditions suggested by the Council in the event that I allow the appeal. For the avoidance of doubt, a condition is necessary ensuring that the development is carried out in accordance with the approved plans.

Conclusion

17. For the reasons given above, having regard to all matters raised, the appeal is allowed in relation to the single-storey rear extension. However, in relation to the rear dormer, the appeal is dismissed.

Alexander Walker

INSPECTOR