
Appeal Decision

Site visit made on 21 January 2020 by John Gunn DipTP Dip DBE MRTPI

Decision by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2020

Appeal Ref: APP/J1915/D/19/3237683
16, Wicken Fields, Ware SG12 0XH

- 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 Ryan Thomas against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/0955/HH, dated 6 May 2019, was refused by notice dated 1 July 2019.
 - The development proposed is a second storey front extension with a part two storey and single storey rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a second storey front extension with a part two storey and single storey rear extension at 16, Wicken Fields, Ware SG12 0XH in accordance with the terms of application 3/19/0955/HH, dated 6 May 2019 and the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the location plan and following drawings: Drawing Numbers 104_006; 104_007; 104_008; 104_009; 104_010.
 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.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The description of development in the heading above has been taken from the planning application form. However, a different wording has been entered in the appeal form. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

4. The Council has indicated that it does not have any concerns relating to the rear extension and from what I have seen and read this part of the scheme would be acceptable. Therefore, the main issues are the effect of the proposed second storey front extension upon: 1) the character and appearance of the area and 2) the living conditions of the occupiers of No 18 Wicken Fields.

Reasons for the Recommendation

Character and Appearance

5. The appeal site is situated on a modern housing estate characterised by 2 storey detached houses set within medium sized plots. Individual dwellings are set a short distance back from the road with provision for off street parking facilities and small front gardens. This contributes towards the open character of the area. The cul-de-sac in which the appeal site lies has a range of house designs, with irregular building lines, providing the area with variety and visual interest.
6. At my site inspection I noted that most individual dwellings have limited space between them. I also noted that some dwellings have two storey forward projections covered with gabled roofs, others single storey forward projections with catslide roofs. The host property and its immediate neighbours have single storey forward projections with a mono pitch roof over the garage.
7. The appellant has drawn my attention to properties at 26, 27, 28 and 46 Wicken Fields which he indicated have similar extensions to those being proposed. Whilst I have insufficient information to determine the individual circumstances under which those extensions were permitted, I did note on my site visit that a number of properties in the cul-de-sac had an external appearance, and separation distances from their neighbours, similar to that being proposed. Moreover, these developments reinforce the diverse mix of house styles and appearances in the cul-de-sac and the estate generally. Consequently, the development would not introduce an alien form of extension that would be out-of-keeping with the character of the street.
8. The second storey front extension would sit above the existing garage and would be visible within the street. Its hipped roof would respond to the mono-pitched roofs over the projecting garages at Nos 12, 14 and 18. It would also be seen in the context of other properties in the street, including No 20 which projects well forward of Nos 12-18. In views on the approach to the appeal property, the latter forms a visually dominant backdrop and as a result the proposal would not appear as a prominent feature in the street scene.
9. In the light of the above, I find that the second storey front extension would not have a harmful visual effect upon the character and appearance of the area. Accordingly, the development complies with Policies DES4 and HOU11 of the East Herts District Plan – October 2018 (DP), which require developments to contribute positively to the surroundings and be appropriate to the local setting and context.

Living Conditions

10. The Council is concerned that the front extension would have an overbearing effect on neighbours at No 18 with specific reference to the impact of the proposal on the front facing living room.
11. The appellant has made reference to a ground floor front extension that has been erected at No 18 which brings the room containing the nearest ground floor window in line with the proposed front extension. I was able to confirm that this was the case on my site visit. Given this relationship the occupants of No 18 would be unable to view the proposed second storey front extension from their ground floor window. Consequently, it would not have an overbearing impact on their living conditions.
12. In the light of the above, I find that the second storey front extension would not be harmful to the living conditions of the occupiers of No 18. Accordingly, the development complies with Policy DES4 of the East Herts District Plan – October 2018 (DP), which requires developments to avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties.

Conditions

13. A condition requiring the development to be commenced within 3 years of the date of this decision is necessary in accordance with Section 91 of the Town and Country Planning Act 1990. To ensure that the development is undertaken as approved a condition referring to the approved plans is necessary. A condition requiring materials to match the existing property is also necessary to protect the character and appearance of the area.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

P J Davies

INSPECTOR