
Appeal Decision

Site visit made on 16 September 2020

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State.

Decision date: 25 September 2020

Appeal Ref: APP/J1915/D/20/3248936

24 Queens Road, Hertford SG13 8AZ

- 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 M Stone against the decision of the East Hertfordshire Council.
 - The application Ref 3/19/2519/HH, dated 10 December 2019, was refused by notice dated 31 January 2020.
 - The development proposed is described as *"the enlargement of the existing rear projection in order to create a part single storey/part two storey rear extension. This proposed extension would largely square off and extend the rear part of the existing single storey projection (the utility room) and extend the existing first floor projection above part of this. The proposed single storey addition would also extend 2.85m to the side to infill the existing courtyard area. The first floor extension would extend the existing roofline and would be gable ended to reflect the existing two storey projection, however, would incorporate a bow window to match those on the front elevation. The single storey extension would incorporate a mono-pitched roof sloping towards a parapet wall on the shared boundary (for drainage purposes). A large bi-fold door would be installed with a traditional brick header. Enlargement of the roof rear dormer window"*.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the proposal would constitute good design and whether it would preserve or enhance the character or appearance of the Hertford Conservation Area and (ii) the effect of the proposal upon the living conditions of the occupiers of No 22 Queens Road in respect of outlook and light.

Reasons

Character and appearance

3. The Hertford Conservation Area (CA) is composed of areas each with their own design characteristics. The part of the CA in the vicinity of the appeal dwelling is characterised by substantial, detached and semi-detached properties set back from the road and mainly dating from the late nineteenth century. The

positive and distinctive characteristics of the CA in the vicinity of the appeal dwelling are provided by the front elevations and street-scape: many are built with patterned brick, two storey in height and have flat fronted, white painted bays, some to the ground floor windows only and some of which are two storey in height. Other window frames are typically painted white. Entrances are often recessed and most have brick-built chimney stacks and pitched roofs. While there has been some redevelopment in the area, the vast majority of the late nineteenth century, villa-style properties remain and these, together with the tree lined roads, give the area its significance from a character and appearance point of view.

4. Most of the rear elevations are not conspicuous from public vantage points because of the narrow gaps which commonly occur between the properties. This applies to the appeal property where the proposed additional extension would be inconspicuous in the street scene. The proposed additional development would be proportionate in scale to the host property and I consider that it would be acceptable in terms of its design. As it would be concealed from public view and would be of a design reflective of the original building, I am satisfied that it would preserve the character and appearance of the CA.
5. I therefore conclude that the proposed development would not conflict with the East Hertfordshire District Plan 2018 (EHDP) policy DES4 which requires development to be of a high standard and to promote local distinctiveness, or with policy HOU11 which requires that proposed extensions take account of the character and appearance of the area. It would also accord with policy HA4 which permits new development, including extensions and alterations to existing buildings in Conservation Areas where these preserve or enhance the special interest, character and appearance of the area.

Living conditions – outlook and light

6. The proposed development, especially the two-storey part, would be close to the boundary with No 22 Queens Road where the occupants consider that light levels are already poor.
7. There is a ground floor and a first-floor window which would directly face the two-storey part of the proposed appeal extension and would be approximately 2 metres away from it. I observed on my site visit that both the ground and first floor windows are secondary windows with alternatives facing down the rear garden. I also noted that, at the ground floor, the window faces onto an intermediate wooden boundary fence which is as high as the window itself. The property also has a single storey extension where windows face the boundary fence with the appeal property.
8. The appellant makes reference and comparisons to previous approvals for rear extensions granted in 2004 and 2009. Reference is also made to an approved, rear extension to No 20 Queens Road. The comparisons are made largely in terms of design. I have concluded that the design of the proposed extension at the appeal property preserves the character and appearance of the CA. I have considered the potential impact on outlook and light for the adjoining occupiers on the merits of the appeal before me.

9. The existing hipped gable to No 22 Queens Road extends to the rear to a slightly greater extent than that of the appeal building, currently allowing light to its first floor window facing No 24 over the flat roofed, single storey extension at the appeal site. The proposed two storey development on the side facing No 22 Queens Road would impede light from this source.
10. I have no technical information before me regarding light levels, but owing to the proximity and scale of the proposed two-storey element, I consider that these would be significantly and adversely affected.
11. However, even if it were shown that this was not the case, I further consider that, owing to the close proximity and scale of the proposed two-storey part of the development, it would have an overbearing impact when viewed from the first floor window of No 22 Queens Road.
12. I find no such concerns regarding the proposed single storey additions to the development and which border No 26 Queens Road and where there is a solid wooden, boundary fence of about 1.5 metres in height, above which can only be seen the mono-pitched, glazed roof to its own single storey extension.
13. I conclude that the proposed development, by reason of the size, scale and siting of the two-storey part, would be contrary to EHDP policy DES4 which requires new development to avoid detrimental impacts for the occupiers of the adjoining properties.

Conclusion

14. For the above reasons, I conclude that the appeal should be dismissed.

Steven Hartley

INSPECTOR