
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/20/3249616
4 Tatlingtown, Ware, Hertford SG12 7RP

- 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 R. Jastak against the decision of the East Hertfordshire Council.
 - The application Ref 3/19/2316/HH, dated 13 November 2019, was refused by notice dated 7 January 2020.
 - The development proposed is a single storey rear house extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear house extension at 4 Tatlingtown, Ware, Hertford SG12 7RP in accordance with the terms of the application ref 3/19/2316/HH, dated 13 November 2019, subject to the following conditions:
 - (1) the development hereby permitted shall begin no later than three years from the date of this decision;
 - (2) the development hereby permitted shall be carried out in accordance with the following approved plan: drawing number PO1A and
 - (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.

Main Issues

2. The main issues are (i) whether or not the proposal would preserve or enhance the character or appearance of the Wareside Conservation Area and (ii) the effect of the proposal upon the living conditions of the occupiers of The Cottage in respect of light and outlook.

Reasons

Character and appearance

3. The appeal property is within the Wareside Conservation Area (CA) characterised by a village core of original cottages, often rendered and painted

white and more modern, larger detached dwellings, often hidden from view from the access roads in the village. Dwellings are commonly two storeys, with pitched roofs with red pantiles or blues slate. The roads in the CA add very considerably to the character and appearance of the village: they are narrow, unlit, with no pavements and with banks and hedgerows including mature trees on either side. They give a rural and bosky feel to the CA.

4. The appeal dwelling is in the middle of a terrace of three properties which are rendered and painted off-white with blue slate roofs. By their pleasant and simple appearance, they form a distinctive part of the character and appearance of the CA. They have small amenity areas to the front facing the road and longer rear gardens which are mainly hidden from public view.
5. The appeal property has previously been extended to the rear at single storey level and the proposed extension would add approximately 3 metres to its length resulting in an overall extension of some 6.9 metres compared to the depth of the original house, estimated by the Council to be about 4.8 metres.
6. The proposed external walls would be rendered and painted to match the existing property and the roofing material and window design would also match those of the dwelling. The proposed pitched roof would be some 3 metres high to the ridge.
7. While the proposed extension, together with the existing extension, would add to the size, scale, mass and form of the dwelling, it would not be dominant or out of scale and, furthermore, would not be conspicuous from public vantage points. I am satisfied that the proposal would be acceptable in terms of design and that it would preserve the character and appearance of the CA.
8. I conclude therefore that the proposed development would not be contrary to policy HOU11 of the East Herts District Plan 2018 (EHDP) relating to extensions and alterations to dwellings, nor to policy DES4 which seeks a high standard of design and which promotes local distinctiveness. The proposed development would not conflict with policy HA4 which requires new development to preserve or enhance the CA, or with policy VILL2 which is supportive of development which is of a scale appropriate to the size of the village having regard to the potential cumulative impact of development in the locality.

Living conditions – outlook and light

9. The rear ground floor windows of The Cottage which adjoin the appeal dwelling on its southern side are set at a slightly lower level than those of the latter. The Local Planning Authority (LPA) considers that the change in levels exacerbates a likely loss of light caused by the proposed extension and would also lead to an overbearing impact when viewed by the occupants of The Cottage.
10. I have not been given any technical analysis of the impact of the proposed development on light levels to the Cottage, but nevertheless I was able to consider the relationship between the appeal development and this property as part of my site visit. As the proposed extension would be single storey and to the north of The Cottage, I do not consider that the proposal would lead to a material loss of light to this neighbouring property.

11. There is currently a close boarded, wooden boundary fence between The Cottage and the appeal property of approximately 1.5 to 2.0 metres in height. On my site visit, I was barely able to see the ground floor windows of the cottage from the rear garden of the appeal property. I do not consider therefore that the proposed single storey extension would have a significant overbearing impact for the occupants of The Cottage.
12. In all the circumstances, I conclude that the proposal would not cause harm to any neighbouring property from a living conditions point of view, including in respect of outlook and light ,for the occupiers of The Cottage, and hence it would accord with the amenity requirements of Policies DES4 and VILL2 of the EHDP.

Conclusion

13. For the reasons outlined above, I conclude that the appeal should be allowed.

Steven Hartley

INSPECTOR