

Appeal Decision

Site visit made on 17 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/20/3253632

111 The Hyde, Ware, Hertfordshire SG12 0EU

- 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 David Arnold against the decision of the East Hertfordshire Council.
 - The application, Ref 3/20/0520/HH dated 4 March 2020, was refused by notice dated 29 April 2020.
 - The development proposed is a first floor extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

Character and appearance

3. The appeal dwelling forms part of a block of four dwellings situated in a housing area of largely two and three storey, modern, brick built, suburban housing with pitched roofs and in a landscaped setting.
4. The block of four dwellings is two storey in height with a double pitched gable roof. The block has a general design symmetry. Whilst the appeal property has an existing single storey extension, because of its limited height, it does not unduly disturb the pleasing and consistent design characteristics in respect of the block of properties as a whole. The existing extension, unlike the block, has a hipped, tiled roof. The proposed development is to construct a first-floor extension above it and again with a hipped roof. It would have a maximum height of approximately 5.5 metres. The proposed materials would match the existing dwelling.
5. Owing to the scale, design and position of the first-floor extension, it would adversely affect the symmetry of the block of properties to the detriment of the character and appearance of the area. The proposed hipped roof above first

floor level would appear as an uncharacteristic, incongruous and out of place feature unrelated to the appearance of the block as a whole. The harmful development would be particularly prominent and conspicuous when viewed from the access road, from the adjoining car parking area and also when viewed from the block of properties to the rear, albeit seen at an angle.

6. I conclude that the proposed development would have a significantly adverse impact upon the character and appearance of the area. It would therefore fail to accord with the design requirements of policy HOU11 of the East Hertfordshire District Plan 2018 (EHDP) and with policy DES4 which seeks a high standard of design that promotes local distinctiveness.

Other Matters

7. The appellant has referred to other extensions to properties in the immediate area, notably at numbers 18,21,22 and 26 The Hyde. However, I have found that these are generally side extensions to properties where the design and general shapes of the roofs are consistent with the original dwellings, unlike that proposed for the appeal property. In addition, because of their general layouts, the extensions do not unbalance the properties. I have found that the same applies to the other properties cited by the appellant further afield at Founceley Avenue and at Hadham Park Cottages. Therefore, I do not consider, that the above extensions are directly comparable to the proposed extension, but in any event, I have determined this appeal on its own merits.
8. The appellant refers to paragraph 117 of the National Planning Policy Framework 2019 (the Framework) which promotes the effective use of land in meeting the needs of homes and other uses. However, such effective use requires the safeguarding and improvement of the environment. The latter is not achieved by the proposed development.
9. Similarly, paragraph 118 of the Framework encourages the multiple use of land including the achievement of net environmental gains, but I have found that the proposed development would not achieve this. The same paragraph encourages upward extensions, but only when compatible with the overall street scene.
10. Paragraphs 124 and 127 of the Framework encourage good design and innovation, but in this instance, the proposed development would be contrary to the achievement of good design.
11. While paragraph 38 of the Framework is supportive of sustainable development, the proposed development would not be sustainable because of its adverse impacts upon the environment and this would be the case even if the land was to be regarded as brownfield.
12. The proposed development would not have a materially adverse impact upon the occupiers of neighbouring properties in terms of privacy, outlook and light. However, these are matters of neutral consequence in the overall planning balance.

13. I do not consider that the adverse impacts upon the character and appearance of both the appeal property and area can be mitigated by the application of conditions.

14. None of the other matters raised outweigh my conclusion on the main issue.

Conclusion

15. I conclude that the appeal should be dismissed.

Steven Hartley

INSPECTOR