



Appeal Decision

Site visit made on 22 September 2020

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 20th October 2020

Appeal Ref: APP/J1915/D/20/3255457

16 Revels Road, Bengeo, Hertford SG14 3JU

- 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 and Mrs I. Reynolds against the decision of East Hertfordshire District Council.
 - The application Ref 3/20/0432/HH, dated 28 February 2020, was refused by notice dated 19 May 2020.
 - The development proposed is a first floor side extension, a loft extension and conversion to create additional living space to include a rear dormer and rooflights.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A lawful development certificate (LDC) of February 2020 certifies that a hip to gable roof extension and the creation of a rear dormer and two rooflights was permitted development at the appeal property at that date. Whilst I have taken this matter into account in reaching my decision, I am required to consider the appeal scheme as a whole. Therefore I have used the full description of proposed works from the Council's decision notice, rather than the shorter description used in the application form.

Main Issues

3. The main issues are the effect of the appeal proposal on:
 - The character and appearance of the area; and
 - The living conditions of the occupiers of No 40 Parker Avenue with regard to outlook and privacy.

Reasons

Character and appearance

4. The appeal property (No 16) is a semi-detached dwelling within a corner plot on a residential street. The surrounding residential estate comprises relatively uniform dwellings of a generally similar scale. The adjoining semi-detached dwelling at No 18 Revels Road (No 18) has largely retained its original form. Whilst the appeal dwelling has existing porch and single storey side extensions,

these do not unacceptably disrupt the symmetry of the pair of dwellings as a result of their limited scale.

5. The combination of the proposed works to the dwelling at first and second floor levels would result in a substantial increase in its scale which would cause the pair of semi-detached dwellings to have an unbalanced appearance. As a result, although the proposal would not reduce the area of garden space available, the building would appear disproportionately large within both public views and those from the rear of surrounding dwellings. The potential for extensions at No 18 cannot be relied on to “balance out” the proposal as there is no substantive evidence that these are planned, or that they would receive permission if this were the case.
6. I acknowledge that elements of the side extension’s design would result in a greater subservience to the host dwelling than that identified regarding a previous appealed proposal¹ at the site. Nevertheless, the appeal scheme would result in an unduly dominant building within the relative uniformity of surrounding development as a result of its scale and prominent corner plot location. Thus, it would cause unacceptable harm to the character and appearance of the area.
7. The proposal consequently conflicts with Policies HOU11 and DES4 of the East Herts District Plan 2018 (the EHDP), which require development to complement the appearance of the existing dwelling and to be of a high standard of design.

Living conditions

8. No 40 Parker Avenue (No 40) lies on a corner plot on the adjacent road, in close proximity to the rear of the host dwelling. It has a rear garden of a modest scale which nonetheless offers outdoor space as an alternative to the larger side/front garden area which is also available.
9. The built form of the rear of No 16 lies relatively close to the rear garden and rear windows of No 40. However, the single storey scale of the side extension at No 16 and the unaltered nature of its roof form allow for outlook over those points.
10. The appeal proposal would increase the view from the rear of No 40 of substantial built form by a significant degree. The first floor side extension would replace views across the side area of No 16 by a significant projection of built form which would form an unduly dominant and overbearing frame to the outlook from the dwelling and garden at No 40. This enclosing effect would be exacerbated by the presence of the substantial dormer which would occupy almost the full extent of the original rear roof slope. The proposal would consequently cause significant harm to the living conditions of the occupiers of No 40 with regard to outlook.
11. A degree of mutual overlooking is already possible between the rear elevations and gardens to Nos 16 and 40. The proposal would increase the potential for overlooking by the inclusion of a second floor bedroom window within the dormer. Nevertheless, views from this would be oblique and would include only a slightly greater extent of the rear garden to No 40 than those available from the current first floor window at No 16.

¹ APP/J1915/D/18/3215970

12. Furthermore, the remaining two additional windows within the rear elevation would serve bathrooms and the use of suitable opening arrangements and obscure glazing for these could reduce the potential for overlooking from them to an acceptable level.
13. The proposal would consequently have an acceptable effect on the living conditions of the occupiers of No 40 with regard to privacy. Nevertheless, it would cause significant harm to the outlook available from that property. The proposal consequently conflicts with Policy DES4 of the EHDP, which states that proposals should avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties.

Other Matters

14. My attention has been drawn to a number of schemes in the vicinity of the appeal site. Whilst I have limited details on the circumstances of these, none of the four developments referred to had a sufficiently similar visual effect to the appeal proposal for me to be able to draw comparisons. Furthermore, even if the other developments and circumstances were similar, they would not inevitably provide an example that should be followed even if harm results. Accordingly, the other developments do not alter my conclusions as to the unacceptability of the current scheme.

Conclusion

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

C Beeby

INSPECTOR