
Appeal Decisions

Site visit made on 7 October 2020

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2020

Appeal A: APP/J1915/W/19/3244024

26 Drury Lane, Hunsdon SG12 8NU

- 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 Mrs Michelle Mackie against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/1991/HH, dated 1 October 2019, was refused by notice dated 15 November 2019.
 - The development proposed is a single storey rear extension.
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Appeal B: APP/J1915/Y/19/3244018

26 Drury Lane, Hunsdon SG12 8NU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs Michelle Mackie against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/1992/LBC, dated 1 October 2019, was refused by notice dated 15 November 2019.
 - The works proposed are a single storey rear extension.
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Decision

Appeal A

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 26 Drury Lane, Hunsdon SG12 8NU in accordance with the terms of the application, Ref 3/19/1991/HH, dated 1 October 2019, subject to the conditions in the attached schedule.

Appeal B

2. The appeal is allowed and listed building consent is granted for a single storey rear extension at 26 Drury Lane, Hunsdon SG12 8NU in accordance with the terms of the application Ref 3/19/1992/LBC dated 1 October 2019 subject to the conditions in the attached schedule.

Main Issue

3. The main issue in both appeals is the effect of the proposed works on the special architectural and historic interest of 26 Drury Lane which is Grade II listed.

Reasons

4. 26 Drury Lane forms one half of a pair of traditional, semi-detached, timber framed, roughcast and pink-washed houses. Part of the significance of the appeal property is derived from its overall age, form, and fabric.
5. Planning permission 3/19/1347/HH and Listed Building Consent 3/19/1348/LBC have been granted for a single storey rear extension to the property. The proposal which forms the basis of these appeals differs only insofar as it includes an additional projection from the extension into a rear courtyard area, and a roof lantern.
6. The additional projection to the single storey rear extension would be very modest in size adding only around 2.57m² to the property. It would make minimal difference to the appearance of the extension already granted planning permission and would simply allow for a more workable dining area than that approved. In spite of the additional projection into the courtyard there would remain a good gap between this and an extended garden room opposite. The courtyard in question comprises a relatively modern paved area. On the evidence before me I do not find its reduction in size to be harmful.
7. The roof lantern would be mostly glazed and although it would, to a small degree, obscure part of the rear elevation of the property when viewed straight on from the rear garden, this would be minimal and not harmful. The rear elevation would still be appreciable from other areas of the property.
8. Bringing the above points together the proposal would have no detrimental impact on the special architectural and historic interest of the listed building. I therefore find no conflict with Policies DES4, HOU11, HA1 and HA7 of the East Herts District Plan 2018 which promote good design and seek to protect character and, specifically, listed buildings.
9. Although the Council's questionnaire indicates that the site is not in a conservation area, the Planning Officer's report states that it is located within the Hunsdon Conservation Area. Included in the evidence is also a map of the adopted conservation area and the appeal site would appear to fall within this. I have therefore had regard to section 72 of the act which obliges me to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The Council raised no concern in this regard and similarly, given the siting of the extension to the rear of the property, its single storey nature, and that it would be well screened from public view, I find that the proposal would preserve the character and appearance of the conservation area.

Conditions

10. In addition to the standard time limit conditions I have attached plans conditions as this provides certainty. I have also included conditions requiring the use of matching materials to ensure a satisfactory finish, but it is not necessary to go further than this. There are no replacement windows to the listed building proposed and a condition requiring detailed drawings of the proposed windows in the extension is not necessary. It is necessary, however, to include a condition on Appeal B requiring details of the replacement door to the kitchen, in order to preserve the special architectural and historic interest of the Listed building. Conditions relating to 'making good' of the existing

building, are also necessary for the same reason. That such conditions were not attached to a previous appeal does not alter my findings in this respect.

11. I have not included a condition requiring all new or replacement rainwater goods to be in black painted cast iron as rainwater goods on the existing property are black plastic and this would be unreasonable.
12. For the reasons given, and subject to the above conditions, the appeals are allowed.

Hayley Butcher

INSPECTOR

Schedule of Conditions

Appeal A: APP/J1915/W/19/3244024

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1068-SP-00 Rev B, 1068-GA-02 Rev A, 1068-GA-01 Rev B, 1068-SV-01 Rev B, 1068-SV-02, 1068-DM-01 Rev B.
- 3) The external materials of construction and finishes for the building works hereby permitted shall match those used for the existing building.
- 4) Following completion of the building operations for which consent is hereby granted, all 'making good' of the existing building shall be carried out in materials which closely match those used in the existing building.

Appeal B: APP/J1915/Y/19/3244018

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1068-SP-00 Rev B, 1068-GA-02 Rev A, 1068-GA-01 Rev B, 1068-SV-01 Rev B, 1068-SV-02, 1068-DM-01 Rev B.
- 3) The external materials of construction and finishes for the building works hereby permitted shall match those used for the existing building.
- 4) Following completion of the building operations for which consent is hereby granted, all 'making good' of the existing building shall be carried out in materials which closely match those used in the existing building.
- 5) No above ground works shall commence on site until detailed drawings of the new/replacement door to the kitchen, together with a detailed description or specification, have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.