



Appeal Decision

Site Visit made on 17 November 2020

by Paul Thompson Dip TRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th November 2020

Appeal Ref: APP/J1915/D/20/3251573

28 Rowney Gardens, Sawbridgeworth, Herts CM21 0AT

- 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. K. Hawkins against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/2535/HH, dated 10 December 2019, was refused by notice dated 4 February 2020.
 - The development proposed is demolition of side garage, removal of chimney stacks. Erection of single storey front, side rear two storied garage, kitchen, living room extensions.
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Decision

1. The appeal is dismissed insofar as it relates to the Demolition of side garage and removal of chimney stacks. Erection of single storey front and rear and two storey side and rear extensions. The appeal is allowed insofar as it relates to Erection of single storey side extension and new vehicle access onto Rowney Gardens and proposed access gates and front boundary wall and planning permission is granted for Erection of single storey side extension and new vehicle access onto Rowney Gardens and proposed access gates and front boundary wall at 28 Rowney Gardens, Sawbridgeworth, Herts CM21 0AT in accordance with the terms of the application, Ref 3/19/2535/HH, dated 10 December 2019, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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 plans: 0797/2g and 0797/3.
 - 3) The exterior of the development hereby approved shall be constructed in the materials specified on the submitted application form/plans.

Preliminary Matters

2. Despite the description of development set out above, I consider the description found on the Decision Notice and the Appeal Form better reflects the scheme that is before me and that which the Council considered. The development proposed is therefore for 'Demolition of side garage and removal of chimney stacks. Erection of single storey front, side, rear and two storey side and rear extensions. New vehicle access onto Rowney Gardens and proposed access gates and front boundary wall'. I have dealt with the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed single storey front and rear and two storey side and rear extensions on the character and appearance of the existing house and the surrounding area.

Reasons

4. The appeal concerns an interwar detached house situated in a residential street of similarly designed houses, the majority of which have been extended to the southern side to incorporate two-storey extensions and altered roof forms. Some also incorporate single storey additions to the rear. The appeal property was extended to the south in the 1980s to incorporate a garage.
5. The proposed extensions to the rear would be split between floors, with the second-storey extension set in at the rear and the single-storey extension continuing beyond this. The ridges of the two hipped roof components of the two-storey extension would be to the same height as the existing north gable and there would be a central box gutter between. The design of the roof would not, of itself, be harmful to the appearance of the property, principally as the existing roof would be visible behind. While there would not be views of these proposed extensions from the street, they would occupy the full width of the house and extend notably beyond the rear, their appearance would therefore be unduly dominant and imposing in relation to the existing house, particularly when viewed from the gardens of neighbouring properties.
6. The proposed two-storey side extension would terminate at the existing rear façade and incorporate a double hipped roof like the extension to the rear. The extension would be set back at first floor at the front and the existing roof slope of the house would be evident above and between the hipped portions of the new roof. At ground floor, the extension would continue further forward at the front, beyond the front elevation.
7. Given the design of the hipped roofs and its position in relation to the house, the proposed two-storey side extension would appear as a subservient addition to the house, in its own right. It would also have a similar appearance to an extension of a house further south. The forward projection, to incorporate the garage, would also be a modest addition that would not jar with the front façade of the house or be harmful in its surroundings. Nevertheless, given that the side extension would be linked to the extensions at the rear, it could not be severed to form an independent element of the appeal scheme. It must therefore be considered, as a whole, in conjunction with those parts of the proposal with which I have found harm.
8. There are numerous extensions to other properties in the street but, other than the alterations to No 1, they are largely not comparable with the appeal scheme, which also includes a two-storey rear extension. Even still, I note that the whole of the roof of No 1 has been altered to a crown roof, the lack of articulation and overall mass of which should not be used as a reason to allow those elements of the appeal scheme that would be harmful to No 28 and its surroundings. In any event, I am also conscious that I must consider the appeal scheme on its own individual merits.
9. In light of the above, despite the lack of local objections to the proposal and my findings, in isolation, in relation to the proposed two-storey side and single

storey front extensions, the appearance, scale and form of the existing house would be unrecognisable and overwhelmed by the proposed two-storey side and rear extensions and the single storey front and rear extensions. I therefore conclude that those elements of the proposed development would be harmful to the character and appearance of the existing house and the surrounding area. Hence, they would not accord with the design aims of Policies DES4 and HOU11 of the East Herts District Plan (Adopted October 2018), particularly in relation to the subservience of proposed extensions. The proposal would also be contrary to the paragraph 130 of the National Planning Policy Framework, as it would fail to take the opportunities available for improving the character and quality of the area.

Other Matters

10. The proposal also includes a single storey extension to the northeast corner of the house to provide a study, which includes a small pitched section to the front and a flat roof behind. There would also be an additional vehicular access to form an in-out driveway, that would be enclosed by a predominantly low wall, but with piers and wrought iron double gates to each access. These parts of the proposal would be modest, both in their size and design, and would not be harmful to the character and appearance of the existing house or the surrounding area. I therefore find no harm in respect of these elements of the proposal and note that the Council did not raise concerns in this regard either. As those parts of the development are both physically and functionally severable from the other proposed extensions to the side and rear of the house, I consider a split decision would be a logical outcome.
11. I appreciate that the property is in the process of being modernised, and the proposal would improve natural light, insulation and the living environment of the appeal property, which would better meet the needs of the appellant and his family, particularly for future care and support. Similarly, the Council did not raise concerns with regard to the living conditions of neighbouring occupiers or highway safety, and there is nothing before me which would lead me to a different conclusion. However, the personal circumstances and other benefits, and absence of other harms would not be sufficient to outweigh the harm I have identified with regard to the other parts of the appeal scheme referred to in the main issue.
12. The appellant submitted the proposal following pre-application advice, which was preceded by refusal of planning permission for a similar proposal. The Framework stresses the benefits of early engagement and of good quality pre-application discussion. The appellant has referred to the conduct of the Council, including with regard to their approach to and the timeframe of those discussions, but also in relation to the approach to and consistency of its decision-making. These are primarily not matters for me to consider as part of this appeal, in any event, I have considered the individual merits of the appeal scheme afresh in relation to the relevant policies and evidence before me.

Conditions

13. In addition to the standard time limit, I have specified in the decision that, in terms of the side extension to form a study, the new vehicular access and the front boundary wall and gates, the development shall proceed in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. A condition relating to materials being in accordance with the details

shown on the application form or plans is also necessary to ensure that the appearance of those aspects of the proposal would be satisfactory.

14. I have not included the other conditions suggested by the Council as they are not relevant to those aspects of the proposal, particularly the protection of hedges and trees, as the front hedge already appears to have been removed and there is already a wall at the front of the site close to the hedge separating Nos 27 and 28.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed insofar as it relates to the single storey side extension, for a study, the proposed new vehicle access onto Rowney Gardens and proposed access gates and front boundary wall, but dismissed insofar as it relates to the single storey front and rear and two-storey side and rear extensions.

Paul Thompson

INSPECTOR