



Appeal Decision

Site Visit made on 7 January 2021

by Chris Forreth MRTPI, DipTP, BSc(Hons)

an Inspector appointed by the Secretary of State

Decision date: 20th January 2021

Appeal Ref: APP/J1915/D/20/3259395

279 Ware Road, Hertford, Hertfordshire SG13 7EL

- 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 Neal Grainger against the decision of East Herts District Council.
 - The application Ref 3/20/1194/HH, dated 26 June 2020, was refused by notice dated 26 August 2020.
 - The development proposed is the erection of two storey detached garage/gym/office with first floor rear terrace.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal development would be located at the bottom of the rear garden of 279 Ware Road and would front onto a spur of Cromwell Road. There are allotments on the opposite side of Cromwell Road to the appeal site. The prevailing topography of the area is that the land slopes down sharply from Ware Road to Cromwell Road, although the rear garden of the appeal property has been re-graded so that it steps down in stages.
4. At my site visit, I saw that there were several examples of garages and outbuildings to the rear of the properties on Ware Road and fronting onto Cromwell Road. From the evidence before me planning permission¹ has been granted for a single storey garage with a pitched roof at the appeal site. The ridge line of that garage would be around 4.6 metres in height and the roof would slope away from Cromwell Road. To that end, I consider that the principle of such a building is acceptable.
5. The merits of the proposal before me therefore turn on the design and height of the appeal building itself. In that sense it is noted that the proposal would have a part pitched and part flat roof (although this has been described as a mansard roof). When viewed from Cromwell Road, the roof would appear as a gable end albeit with the upper parts of the gable removed and replaced with a flat roof section.

¹ Reference 3/16/27789/HH

6. From my site visit I saw that the existing garages and outbuildings fronting onto Cromwell Road largely consisted of simple flat or pitched roof structures. With the exception of the large garage building to the rear of 263 Ware Road these ancillary outbuildings are also of a much smaller scale than the proposal before me. However, it is also significant that the garage to the rear of No.263 has a roof slope away from Cromwell Road which helps to reduce the impact of this large building.
7. In contrast to that, the appeal proposal would have a vertical brick wall almost to the Cromwell Road boundary which would extend to around 5.7 metres in height. To my mind, a building of this height in such proximity to Cromwell Road would stand out as an overly prominent and dominant feature. This harm is principally owing to the design and shape of its roof relative to Cromwell Road. However, the blank façade does nothing to break up the massing of the building which only adds to this harm.
8. In coming to the above view, I acknowledge that the building would not result in an unacceptable level of obstruction of views from the neighbouring properties on Ware Road or to general views in the area as a whole. I also acknowledge that the height of the building is not too dissimilar to the bungalow to the rear of 325 Ware Road. That said, the siting and design aspects of that bungalow differ significantly from the proposal before me.
9. The Appellant has stated that this section of Cromwell Road has a low footfall and that the proposal would provide visual interest in a location lacking in innovative character. However, in my view the design of the proposal is far from innovative nor do I consider that a low footfall is a suitable justification for the development before me.
10. The Appellant has also drawn my attention to a development at 249 Ware Road which also involves a first-floor element above a garage with what has also been described as a mansard roof. However, I saw from my site visit that the setting of this development is very different from the appeal site with residential properties on the opposite side of Cromwell Road. As noted by the Council, the first-floor element is also set back from the road frontage. Furthermore, that development does not provide for a compelling reason to permit an otherwise unacceptable development.
11. For the above reasons the proposal would harm the character and appearance of the area in conflict with Policies HOU11 and DES4 of the East Herts District Plan 2018 which amongst other matters seek to ensure that all development is of a high standard of design and of a size, scale, mass and form that is appropriate to the character and appearance of the surrounding area.

Conclusion

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

Chris Forrett

INSPECTOR