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## Appeal Decision

Site visit made on 22 September 2020

**by S Tudhope LLB (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1 February 2021**

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**Appeal Ref: APP/J1915/W/20/3254148**

**8 Parsonage Lane, Bishops Stortford, CM23 5BE**

- 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 E Morton against the decision of East Hertfordshire District Council.
  - The application Ref 3/20/0329/HH, dated 13 February 2020, was refused by notice dated 17 April 2020.
  - The development proposed is part single and part two storey rear extension. Conversion and alteration of 1 garage to form front entrance door; together with associated elevational alterations.
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### Decision

1. The appeal is allowed and planning permission is granted for part single and part two storey rear extension. Conversion and alteration of 1 garage to form front entrance door; together with associated elevational alterations at 8 Parsonage Lane, Bishops Stortford, CM23 5BE in accordance with the terms of the application, Ref 3/20/0329/HH, dated 13 February 2020, subject to the following conditions:
  - 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: Existing Floor Plans, Block Plans & Location Plan Drawing Number 1803-01-PL2; Existing Elevations & Roof Plan Drawing Number 1803-02-PL2; Site, Block & Location Plans - proposed Drawing Number 1803-10-PL2; Ground Floor Plan - proposed Drawing Number 1803-11-PL2; First Floor Plan - proposed Drawing Number 1803-12-PL2; Roof Plan - proposed Drawing Number 1803-13-PL2; Front & Rear Elevation - proposed Drawing Number 1803-14-PL3; and Side Elevations - proposed Drawing Number 1803-15-PL2.

### Application for Costs

2. An application for costs was made by Mr Emlyn Morton against East Hertfordshire District Council. This application is the subject of a separate Decision.

### Procedural Matter

3. The description of development in the banner heading and my decision above is taken from the Council's decision notice. The appeal form indicates that there was an agreement to change the description from that given on the application

form. Nevertheless, I note that the wording provided on the appeal form differs slightly from that on the decision notice. However, the above description adequately describes the development and I have determined the appeal on that basis.

### **Main Issue**

4. The main issue is the effect of the proposed development on the character and appearance of the host property, 8 Parsonage Lane, and the street scene.

### **Reasons**

5. The appeal property is a large detached dwelling situated on the north-eastern side of the road in a substantial plot. Parsonage Lane is predominantly residential with a mix of dwelling types and sizes. Houses front the road and are set back from it providing modest front gardens and off-road parking. There is considerable variation in the detailed design, size and materials of the houses within the street and several have been enlarged by extensions and roof alterations.
6. The proposal comprises several elements. The existing double garage would be altered externally by replacing one of the garage doors with an entrance door and window, and internally to a single garage and entrance hall. Consequently, the appearance of the front of the building in the street scene would be largely unaltered.
7. The proposed part two storey and part single storey rear extension would result in a substantial addition to the existing dwelling. Nevertheless, the enlarged house would have a cohesive design respectful of the existing dwelling in its detailing. The roof alterations would include a crown roof, but other houses in the road also include this feature. This element would be stepped down from the main roof line, indicating subservience to it. The roof profile would broadly replicate that of the existing dwelling, retaining a hipped roof form, and the position of the flat roof element, towards the rear of the building, would ensure that this design feature would not be readily visible from outside of the site. I am of the view that the overall size of the resultant dwelling would not be disproportionate to, or over dominant in the site's context. Further, I am satisfied that the design of the roof would not be out of keeping with other development within the area.
8. Policy HOU11(c) of the East Herts District Plan 2018 (LP) states that flat roofed extensions, except those on the ground floor, will be refused as visually undesirable other than in those exceptional circumstances where the character of the original dwelling allows a flat-roofed design to be appropriately incorporated, or it represents a sustainable or innovative design approach. Although the proposed roof form incorporates a flat roof element above first floor level, this is as part of a crown roof whereby the existing hipped roof design is the predominant form retained. Consequently, in the particular circumstances of this case, I do not consider that the appeal proposal comprises a flat roof extension such as would conflict with part (c) of LP Policy HOU11.
9. Evidence has been submitted to demonstrate development that could be carried out at the site under permitted development allowances. The Council does not consider this to be comparable to the appeal proposals in terms of

scale and does not consider that the stated fallback position would be genuinely likely to be carried out if the appeal were to fail. Whilst I acknowledge the position of both parties in respect of this matter, given my findings above, it has not been determinative in this instance. Equally any comparison with other appeal decisions submitted by the appellant, in support of his proposal, would be of limited relevance. In any case I have determined the appeal on its own merits.

10. Consequently, I conclude that the proposed development would not have a harmful effect on the character and appearance of the host property or the street scene. Thus, it would comply with LP Policies HOU11 and DES4 which, together and amongst other matters, seek to ensure a high standard of design that is appropriate to the character and appearance of a host dwelling and the surrounding area.

### **Conditions**

11. In addition to the standard implementation condition, I have imposed a condition specifying the approved drawings as this provides certainty.
12. I do not consider it necessary to impose a separate condition with regard to the proposed external materials, as these are indicated on the approved drawings and this matter is therefore adequately covered by Condition 2.

### **Conclusion**

13. For the reasons given above the appeal is allowed.

*S Tudhope*

Inspector