
Appeal Decision

Site visit made on 11 January 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2021

Appeal Ref: APP/J1915/D/20/3259391

3 The Orchards, Sawbridgeworth CM21 9BB

- 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 & Mrs Paul James against the decision of East Hertfordshire District Council.
 - The application Ref 3/20/1165/HH, dated 24 June 2020, was refused by notice dated 27 August 2020.
 - The development proposed is described as "Two storey rear and side extensions. Single storey rear extension. Room in the roof space with dormer window to rear. Conversion of rear garage to playroom and study. Extension to front entrance porch."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development proposed on:
 - The character and appearance of the area; and,
 - The living conditions of neighbouring occupiers, with particular regard to 4 The Orchards.

Reasons

Character and Appearance

3. The roof to the proposed two-storey side and rear extension would wrap around the roof of the existing house, creating a valley between the two ridges. Although it would be slightly lower than the existing ridgeline, the resulting appearance would be incongruous within the area, where no other similar arrangements exist. In addition, the proposed rear dormer would project from the original roof and through that of the proposed extension, resulting in a bulky and uncharacteristic appearance in the area.
4. The Council has stated in its delegated report that the scale of the two-storey side extension would otherwise be acceptable, and that the front porch extension, rear single-storey extension and garage conversion would also be acceptable. I see no reason to disagree with these conclusions.
5. The roof to the two-storey side and rear extension, and the rear dormer window, would be harmful to the character and appearance of the area. They

would conflict with Policies HOU11 and DES4 of the East Herts District Plan 2018 (the DP). These require, amongst other criteria, extensions and alterations to dwellings to be of a form and design appropriate to the character, appearance and setting of the existing dwelling and the surrounding area.

Living Conditions

6. The first-floor rear extension would project along the shared boundary with the attached neighbour, No 4. There is a first-floor window to No 4 adjacent to the boundary that is not shown on the submitted drawings. The first-floor rear extension would be shallower than the ground-floor extension but would still project a significant distance from the existing rear wall. It is not clear from the submitted plans that the extension would not be harmful to the outlook from the nearest first-floor window to No 4.
7. It is for the appellants to show that the development proposed would be acceptable. It is not possible to say, from the information provided, that the appeal proposal would not cause unacceptable harm to the living conditions of the occupiers of No 4. It therefore conflicts with Policy DES4 of the DP, which amongst other things states that proposals will be expected to avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties.

Conclusion

8. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR