



Appeal Decision

Site Visit made on 17 February 2021

by Chris Forrett MRTPI, DipTP, BSc(Hons)

an Inspector appointed by the Secretary of State

Decision date: 12 March 2021

Appeal Ref: APP/J1915/D/20/3263939

50 Tamworth Road, Hertford, Hertfordshire SG13 7DN

- 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 Mark Rooft against the decision of East Herts District Council.
 - The application Ref 3/20/1254/HH, dated 7 July 2020, was refused by notice dated 4 September 2020.
 - The development proposed is the erection of part single and part two storey rear extension, together with associated boundary works.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of part single and part two storey rear extension, together with associated boundary works at 50 Tamworth Road, Hertford, Hertfordshire SG13 7DN in accordance with the terms of the application, Ref 3/20/1254/HH, dated 10 July 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: 1109-01; 1109-02 F; 1109-07 I; 1109-08 F; 1109-09 H and 1109-10 E.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The window openings in the first-floor flank wall to bedroom 2 and the en-suite bathroom to the master bedroom shall be obscurely glazed and be of a non-opening design unless the parts of the windows which can be opened are more than 1.7 metres above the internal finished floor level. The windows shall not be replaced with an alternative design, or clear glazing, without the prior permission of the local planning authority.

Main Issue

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

Reasons

3. The appeal site is located in a primarily residential area and is also within the Hertford Conservation Area (HCA) which encompasses a large part of the town. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the

character or appearance of the Conservation Area. The appeal property itself is a semi-detached dwelling and is a two-storey Victorian house which has been previously extended at the side and rear.

4. From the evidence before me, the majority of the appeal proposal has already been granted planning permission¹ by the Council. In effect, the appeal proposal seeks to add a small first floor element in addition to what has been previously approved. This includes changes to the first-floor internal layout and would result in a slightly higher ridge line to the roof.
5. To my mind, the proposal clearly reflects the design characteristics of the previously permitted extension and this minor addition only adds a further element of interest in terms of the stepping out of the building at first floor level. Furthermore, the increase in height of the ridge of the resultant roof would be minimal when compared to the extant permission and would not result in any adverse impacts. To that end, I consider that the proposal would preserve the character and appearance of the host building and the HCA.
6. For the above reasons the proposal would not harm the character and appearance of the host property or the wider area and would accord with Policies DES4, HOU11 and HA4 of the East Herts District Plan 2018 which amongst other matters seek to ensure that proposals are of a high standard of design which preserves or enhances the Conservation Area, and be of a scale, proportion, form, height, design and overall character that accords with and complements the parent building and the surrounding area.

Other Matters

7. The Council have also made reference to discrepancies in measurements between the proposed floor and elevation plans. However, these discrepancies have not been set out and the Appellant has noted that no such discrepancy is apparent. From the submitted plans, it is clear as to what the extent of the proposed extension works are. With the above in mind, this does not present any barrier to the granting of planning permission.

Conditions

8. The Council has provided a list of suggested conditions in their appeal questionnaire that it considers would be appropriate. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. In the interests of the character and appearance of the area, a condition relating to matching materials is also necessary. In order to maintain the privacy of the occupants of the neighbouring property, a condition is also required in respect of glazing and opening aspects of the secondary window to bedroom 2 and en-suite to the master bedroom.

Conclusion

9. For the reasons given I conclude that the appeal should succeed.

Chris Forrett

INSPECTOR

¹ Reference 3/20/1148/HH