

Appeal Decision

Site visit made on 18 June 2021

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2021

Appeal Ref. APP/J1915/D/21/3270070

3 Nelson Street, Hertford SG14 3AG

- 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 Barney & Charlotte Cringle against the decision of East Hertfordshire District Council.
 - The application ref. 3/20/2174/HH, dated 3 November 2020, was refused by notice dated 21 December 2020.
 - The development proposed is described on the application form as "*First floor side extension/part infill*".
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Decision

1. The appeal is allowed and planning permission is granted for "*First floor side extension/part infill*" at 3 Nelson Street, Hertford SG14 3AG in accordance with the terms of the application ref. 3/20/2174/HH, dated 3 November 2020, 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 numbered 242-01, 242-02, 242-010, 242-011, 242-012, 242-013, 242-014 and 242-015.
 - 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.

Main issue

2. The main issue is the impact of the proposed development upon the character and appearance of the dwelling and the Hertford Conservation Area (HCA).

Reasons

3. The HCA, within which the appeal site is located, encompasses a sizeable section of the central area of Hertford.
 4. Nelson Street, like a number of the residential streets nearby, is characterised by a variety of 2-storey houses dating from the late 19th century and the early
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20th century. It is a relatively short street which follows a steep gradient rising from the south-west to the north-east towards where no. 3 is positioned. The appeal property forms a linked pair with no. 1 which is at an even higher level. There was originally a narrow gap next to the adjoining terraced house at no. 5 on the lower side but this has been partially infilled by a ground floor level extension laid out largely as an entrance hall. This side extension is set back about 1.41 m from the main front wall face of the house.

5. Viewed as a whole, the houses on Nelson Street from no. 1 to no. 29 comprise non-listed buildings that undoubtedly make an important architectural and historic contribution to the special interest, character and appearance of the HCA. This is chiefly on account of the dominance of the original red brick and buff brick frontages, the stepped arrangement of natural slate roofs and brick chimney stacks reflecting the local topography and the number of building design details which remain intact. I saw that the majority of those houses are of terraced form. Any gaps between the building groups are few in number and relatively narrow. To my mind, such gaps as may exist are not of fundamental importance to the overall quality of this particular street scene and of course the gap that once existed between nos 3 and 5 has been partially infilled at ground floor level.
6. It is proposed to add a modest first floor side extension over the existing ground floor side extension. This would provide an en suite bathroom to the front bedroom and a study/office behind. It would be built up to the boundary with no. 5 just like the ground floor side extension. However, given the degree to which the proposed extension would be set back from the main front wall of the house, its limited size, its low hipped roof set well below the verges of the main roof and the slightly lower position of no. 5, the scheme would maintain a good impression of daylight between the main opposing upper walls and roofs of nos 3 and 5, would avoid a visually damaging terracing effect and would not result in an unduly cramped form of development. These outcomes would be apparent to observers viewing the property face on from the road or on both approaches to the site along either of the footways.
7. The hipped roof over the proposed extension would be very modest in terms of its size, height and spread, would be part of what would remain as a subsidiary or subservient side wing of the host property and would not be directly connected to the main roof form above. This added to its unobtrusive location set well behind the front walls of nos 3 and 5 leads me to the view that the hipped roof design would not be objectionable in itself.
8. Noting the proposed use of matching facing materials and fenestration details, I consider that the proposed extension would represent a visually attractive solution, exhibit a high standard of design, be sufficiently complementary and sympathetic to the parent building and be respectful of the established street scene along Nelson Street. The visual harmony and historical integrity of the group of buildings on this street would not be seriously disturbed.
9. I therefore conclude on the main issue that the proposed development would preserve the character and appearance of the dwelling and the HCA.
10. As the development would be an example of high-quality design and preserve the character and appearance of the dwelling and the HCA, there would be no

conflict with the aims of Policies HOU11 (criterion (a)), DES4 and HA4 of the East Herts District Plan 2018 (EHDP) or with the National Planning Policy Framework insofar as it relates to achieving well-designed places and the historic environment.

11. I am aware that criterion (b) in Policy HOU11 of the EHDP seeks to ensure that appropriate space (as a general rule a minimum of 1 m of space) is left between the flank wall of a first floor side extension and the common curtilage with a neighbouring property. The general rule is not met in this case but the purposes of such a requirement are said in the policy to be "*to safeguard the character and appearance of the street scene and prevent a visually damaging 'terracing' effect*". I have found, for the reasons set out above, that this particular scheme before me satisfies these important aims of the policy. Therefore, when viewed in the round, there is sufficient compliance with the broad thrust and important stated policy aims of criterion (b) of Policy HOU11 of the EHDP.
12. The scheme will enhance the quality of life for the occupiers of no. 3 by providing additional accommodation, lead to the removal of visible and unsightly mechanical services equipment (a steel flue and condenser unit) and offer some coverage of the rendered side wall of no. 5. These are all further factors that weigh in favour of granting planning permission.
13. In addition to a condition setting a time limit for the commencement of development, a condition requiring that the development is carried out in accordance with the relevant approved drawings is necessary as this provides certainty. I have also imposed the Council's other suggested condition on materials to ensure that the development would preserve the character and appearance of the dwelling and the HCA.
14. For the reasons given above and having regard to all other matters raised, including the absence of objections from local residents and Hertford Town Council, I conclude that this appeal should be allowed.

Andrew Dale

INSPECTOR